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# Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004)

## I. Introduction

1. In paragraph 30 of resolution 1546 (2004) of 8 June 2004, the Security Council requested the Secretary-General to report to the Council within three months from the date of the resolution on the operations in Iraq of the United Nations Assistance Mission for Iraq (UNAMI) and, on a quarterly basis thereafter, on the progress made towards national elections and the fulfilment of all the Mission's responsibilities. The present report is the first submitted pursuant to that resolution.

2. The report provides an update on United Nations activities in Iraq since the last report (S/2004/625 of 5 August 2004), submitted pursuant to paragraph 24 of resolution 1483 (2003) and paragraph 12 of resolution 1511 (2003). It focuses on the United Nations priority tasks set forth in resolution 1546 (2004), particularly with regard to the National Conference and the preparations for the elections scheduled for January 2005. The report also gives an update on security arrangements for the United Nations presence in Iraq and summarizes UNAMI activities during the period under review.

## II. Summary of key developments in Iraq

### A. Current situation

3. Since its formation on 28 June 2004 the Interim Government of Iraq has taken a number of initial steps to start rebuilding Iraq with a view to improving the living conditions of Iraqis in all parts of the country. Efforts are under way to foster development and economic recovery by improving education and training, creating employment opportunities, and promoting business and trade. These are important building blocks for the transitional political process, not least given the short time in which the Interim Government has been in place and the overall context in which it has to operate.

4. At the same time, the security situation remains volatile and generally unreceptive to significant economic and political initiatives. Governance structures in the provinces and administrative links with Baghdad have yet to be fully established. Economic opportunities are limited across the country and threats to oil

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facilities further indicate the challenges within which the Interim Government is trying to establish its authority. Military combat, violence, assassinations and abductions continue to be reported across the country, exacting a huge toll on human life. Although the total number of incidents against civilians has fallen compared to previous months, the scale of recent fighting gives rise to new concerns.

5. Armed militias connected to key political parties and figures remain active. Insurgents continue to challenge the presence of the multinational force, as well as the new security forces of the Interim Government. Members of the Iraqi security forces appear to have competing loyalties to various entities, including family, tribe and party, as well as the Iraqi State. Political violence has been directed against senior and middle-ranking government officials, as well as senior officials of various political parties. Such tactics are aimed at demoralizing Iraqi public servants and deterring potential candidates from competing for public office, thereby reducing the pool of talent in government and politics. The main victims of this violence are the Iraqi people.

6. Attacks on foreign workers in Iraq have received widespread publicity and condemnation in equal measure, and, although it has received less media attention, the pervasive sense of insecurity felt by Iraqi citizens as a result of extortion, kidnappings and other criminal activities has had a corrosive effect on public confidence in the capacity of political leaders to improve the security situation. In such a situation, it is understandable that local communities and regions focus on their own immediate needs and interests, rather than on the interests of the country as a whole. The forthcoming elections could mark a significant step forward for the people of Iraq, if they are conducted freely and fairly.

7. The humanitarian situation is characterized by a marked disregard for international humanitarian and human rights law. Attacks on Iraqi civilians, residential areas and the nascent police forces are widespread. Places of sanctity are targeted or used by combatants. Combatants continued to fire on ambulances, 16 of which have been destroyed as at 25 August. Hospital facilities have been occupied and in some cases severely damaged by both militia and elements of the multinational force; safe access to people in need has been denied. I have repeatedly reminded all parties of their responsibilities under international humanitarian law, including their obligation to ensure free and unhindered access of medical personnel and humanitarian aid to all areas in need. UNAMI, through advocacy with the multinational force and Iraqi ministries, has addressed this issue as a matter of priority.

8. While fighting has been ongoing in several localities in Iraq, the crisis in Najaf was particularly serious in scope and nature and attracted significant attention. The past weeks witnessed an escalation of fighting between an armed militia loyal to Moqtada al-Sadr, Iraqi security forces and the multinational force. Fighting was concentrated in and around Najaf, close to the Imam Ali Shrine and other areas. Several attempts by the Interim Government of Iraq and a delegation from the National Conference to mediate the crisis were unsuccessful. Regional initiatives by Iraq's neighbours to urgently discuss approaches to the resolution of the Najaf crisis were not pursued.

9. Another initiative, led by Grand Ayatollah Ali al-Sistani, resulted in a five-point agreement with the militia on 27 August 2004. The agreement led to the cessation of hostilities and the transfer of control of the shrine to the senior cleric.

The plan, inter alia, states that the cities of Najaf and Kufa should be disarmed and that all armed elements should withdraw. It also calls upon all parties, as well as political, social and other movements, to join in a process leading to general elections and full sovereignty, and to create an environment favourable to this process.

10. My Special Representative kept close contact with the Interim Government, the National Conference delegation to Najaf and key Iraqi political leaders on the situation in and around Najaf. He emphasized the need for a peaceful resolution to the crisis, noting that recourse to force could set back the political process and adversely affect the humanitarian situation in and around the city. In my statements of 7 and 13 August 2004, I encouraged the promotion of the rule of law and a peaceful and reconciliatory approach to bring the fighting in Najaf to an end.

11. The situation in Najaf also raised a number of humanitarian concerns. The crisis caused civilian casualties and led to the further erosion of essential services in and around conflict areas, such as the Sadr City section of Baghdad and Najaf, where power, water and health services were most needed. The United Nations Development Programme (UNDP), the United Nations Children's Fund and the World Health Organization, representing their respective United Nations country team clusters, have been collaborating with counterpart ministries, implementing partners and the International Committee of the Red Cross to respond to needs by means of emergency electricity repairs, water supplies and ongoing delivery of medical supplies.

12. Of 300,000 persons living in the centre of Najaf, an estimated 25,000 have been displaced during the hostilities, seeking shelter with host families on the outskirts of the city, in mosques or public buildings on peripheral roads north and south of Najaf. A range of organizations, including the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration and non-governmental organizations, as well as the Red Crescent movement, have provided humanitarian assistance to these displaced persons.

## B. The National Conference

13. At the request of the Interim Government of Iraq, and pursuant to paragraph 7 of resolution 1546 (2004), the United Nations assisted in the convening of a National Conference to select an Interim National Council and promote national dialogue and consensus-building on the country's future. To that end, I had dispatched a small team to support the Preparatory Committee for the Conference chaired by Fouad Massoum. From the outset, the United Nations had emphasized that, if it were to be successful, it would be essential to make the Conference as inclusive, diverse and representative of Iraqi society as possible, in order to generate a genuine and substantive debate on the country's future. This was necessary to broaden and strengthen the transitional political process.

14. When it became apparent that more time was needed to expand participation in the Conference, the United Nations advised that it was more important to work towards a successful outcome of the Conference than to hold it on time during the month of July 2004, and therefore recommended that the start of the Conference be delayed. The Preparatory Committee subsequently decided to postpone the beginning of the Conference for two weeks, until 15 August 2004. Following

numerous consultations with the Chairman of the Preparatory Committee and the Steering Group of the Committee, the list of Conference delegates was expanded, on the basis of recommendations of the United Nations. While not all the constituencies that the United Nations had hoped to see participate in the Conference ultimately did so, the additional time did allow the Preparatory Committee to broaden participation in the Conference.

15. The National Conference was held from 15 to 18 August 2004 at the Convention Centre in Baghdad. It was attended by more than 1,100 delegates from all Iraqi governorates, representing a wide spectrum of Iraqi society. Participants included representatives of civil society institutions, professional associations, and more than 70 political parties, as well as independent candidates, tribal, social and cultural figures, artists, and representatives of various ethnic and religious groups. During the inaugural session of the Conference, statements were made by the Chairman of the Preparatory Committee, Fouad Massoum; the President, Ghazi al-Yawer; the Vice-President, Roj Shawees; the Prime Minister, Ayad Allawi; and my Special Representative, Ashraf Jehangir Qazi.

16. The procedural rules for committee work and choosing delegates to the Interim National Council were finalized during the Conference. The agenda reflected the work of the committees and included the selection of the Interim National Council. Four committees, representative of the diverse groups, respectively covered the security situation; the reconstruction effort; human rights and transitional justice; and the political process. Working groups were formed to discuss draft papers and issue recommendations on each theme. These recommendations were then presented to the plenary of the Conference for its endorsement. The Conference decided to establish an Interim National Council, as recommended by the working groups. One of the key functions of the Interim National Council will be to monitor the work of the Interim Government. Its creation was generally considered to be an important step towards widening the base of democratic governance. It was stressed that the Council needed to be representative and professional.

17. In addition to encouraging participation in the Conference, the United Nations advised on a number of other important issues, namely, procedures for the preparation and conduct of the Conference; the agenda; a media campaign to raise public awareness of the Conference and its mandate; and the mechanism for the selection of the Interim National Council. In his address to the National Conference, my Special Representative emphasized that it was in the interest of all Iraqis that the Interim National Council be as inclusive as possible, so as to be effective and credible and lay the groundwork for the upcoming elections.

18. The level of public awareness about the National Conference and its importance for national dialogue and reconciliation was raised by the decision to delay the Conference, and by the public information campaign funded by the United Nations. The active engagement of the UNAMI press spokesperson and political team with the Iraqi media by means of background briefs, press statements and interviews made it possible to present a broader perspective about the Conference to the wider public. In support of the efforts of the organizers of the Conference, my Special Representative met with participants in the Conference to facilitate the proceedings, and also engaged with national and international media.

19. The mechanism for the selection of members of the Interim National Council and its final composition was the subject of contentious debate. While several

formulas for the selection of members were considered, a number of delegates expressed concern that the lack of time for preparing the lists privileged established parties, who enjoyed stronger networks and had prior knowledge of the selection mechanism. Eventually, the members of the Interim National Council were selected from a single list following the withdrawal of a second competing list. A number of participants held the view that the single list maintained the dominance of the established parties and thus did not allow an Interim Council that would be fully inclusive and representative of Iraqi society. Although the final list could have been more representative, discussions among different groups allowed the Conference to complete its task.

20. The National Conference was held against the backdrop of ongoing fighting in Najaf, which did not create the most propitious environment for resolving differences and promoting national reconciliation. The tense situation in Najaf diverted some of the attention of Conference participants and of the Interim Government. It also prevented the participation of a number of political actors, who argued that there could not be a genuine national dialogue under the circumstances.

21. There was also a perception among several participants that the Conference was organized by one of the major political parties and was dominated by established political parties. This characterization presented both a challenge and an opportunity. It gave the smaller parties and the relatively new political forces the chance to witness "give and take" democratic politics and provided a window on the forthcoming elections. Nonetheless, inasmuch as the Conference attempted to expand representation, more efforts could have been made to reach out to reluctant constituencies, thereby achieving genuine inclusiveness.

22. Despite these shortcomings, the Conference completed its task. It therefore constitutes an important milestone in Iraq's transitional political process. For the first time in several decades, a large number of Iraqis gathered to freely discuss vital issues facing their country. The National Conference was the first opportunity to demonstrate the Interim Government's commitment to a transparent and inclusive political process leading to national elections in 2005. In the midst of grave security concerns, no significant disruptions occurred. Delegates and political groups made decisions on how to form coalitions, how to choose rules of procedure and how to strategize on the basis of such rules.

23. The Conference was an especially important experience for the small political parties and independents and may serve them well in preparing for the elections in January 2005. The sustained engagement of large numbers of Conference participants with the issues of the day indicated that Iraqis are ready to participate in democratic processes if provided an opportunity to do so. In that sense, the National Conference can be seen as an important step in a political process towards the holding of democratic elections.

## III. Security arrangements for the Mission

24. The security assessment and related measures for staff protection in Iraq, as set out in paragraphs 5 to 7 of my previous report (S/2004/625), remain unchanged. The small United Nations staff presence in the "international zone" is operating at the outer limit of acceptable and prudent risk. The ceiling for the deployment of United Nations international substantive, support and security staff in Iraq currently stands

at 35. Any expansion of United Nations staffing or activities, particularly outside the "international zone", will not only require the full implementation of the protection arrangements set out in previous reports, but also a qualitative improvement in the overall security environment.

25. In paragraph 13 of resolution 1546 (2004), the Security Council noted its intention to create a distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq. The Council also recognized that the implementation of measures to provide security for staff members of the United Nations system working in Iraq would require significant resources. It called upon Member States and relevant organizations to provide such resources, including contributions to the envisaged entity for the protection of the United Nations presence in Iraq. The multinational force will provide broad area security, escort United Nations personnel, and control access to and protect the outer perimeter of United Nations facilities. Efforts by the multinational force to establish this entity continue. The United Nations, at the request of the multinational force, has encouraged a number of Member States to provide troops or make financial contributions to such an entity, which should consist of military units of about three battalions. I shall continue to support these efforts.

26. In addition to the protection provided by the multinational force, there is a requirement for an integrated United Nations security structure to carry out access control and patrols within facilities, to provide personal security details both within United Nations premises and on the move, to conduct training, and to coordinate security arrangements between UNAMI and other United Nations organizations, as well as with the multinational force. The UNAMI integrated security structure will consist of four elements, namely, international security staff, protection coordination officers, personal security details, and guard units. The deployment of these elements will be subject to ongoing assessments of the overall security situation in Iraq over the coming months and the related deployment of substantive staff. Deployment will also depend on the completion of the necessary logistical arrangements, including secure office and living accommodation.

27. The international security staff will provide security services, conduct security operations and have the status of United Nations staff members. Protection coordination officers are United Nations staff specialists who coordinate the movement and protection of United Nations personnel with the multinational force and other organizations. Currently, efforts are under way to recruit 35 protection coordination officers, with the intention to deploy six of them, initially, early in September. Subject to the conditions stated in paragraph 24 above, the goal is complete deployment of all 35 early in November.

28. The Department of Peacekeeping Operations initiated efforts to identify Member States that have the capacity to provide trained personal security details to the United Nations. For UNAMI, a minimum of four personal security details will be required to protect individuals such as the Special Representative of the Secretary-General and other designated UNAMI officials and visitors. A personal security detail consists of 12 persons, trained together, who deploy and work as a team. Eighteen Member States responded positively and, to date, a United Nations expert team has assessed the capabilities of six Member States with positive results. During the month of September, personal security details from one other Member

State will be assessed. Current preparations and plans would allow for the deployment of up to two teams by the end of September. Two additional teams could be deployed later, if required by UNAMI.

29. In addition, UNAMI requires three 160-person armed guard units for the protection of Mission facilities. Guard units have the status of national contingents in the Mission. Discussions have so far been held with six Member States with regard to the provision of paramilitary, civilian police and military guard units. No commitments have been made so far and discussions with Member States continue. The deployment of one guard unit to Baghdad as early as 30 September will be essential for the Mission's planning schedule.

30. A specific Security Council mandate to obtain and deploy the guard units is required. In addition, indications from Member States approached thus far are that, without a clear and unambiguous legal basis, many if not all of the potential contributors may decline to contribute units. The generation of the guard units may represent the greatest challenge to establishing the United Nations security structure in Iraq. The United Nations will need the full support of the Security Council and Member States to obtain the units required to secure UNAMI facilities in Iraq.

31. The Department of Peacekeeping Operations and the Office of the United Nations Security Coordinator are collaborating closely to develop an integrated security management structure. UNAMI, the Office of the Security Coordinator, and the United Nations agencies, programmes and funds will coordinate closely to provide a comprehensive, timely and cost-effective response to the significant security challenges expected to prevail for the foreseeable future in Iraq.

## IV. Update on United Nations electoral assistance activities

32. The greatest challenge facing the electoral process in Iraq is the insecure environment in which the preparatory work is currently being done. While the United Nations has continued to make every effort to assist in the electoral process, as circumstances permit, the responsibility for organizing and conducting the election rests with the Iraqi authorities. The electoral component of UNAMI is primarily responsible for supporting the Independent Electoral Commission of Iraq. Under Coalition Provisional Authority order 92, the Electoral Commission has the exclusive mandate to conduct the transitional elections. United Nations electoral assistance is currently concentrated on two main tasks. The first task is focused on assistance in consolidating the Electoral Commission, in particular its presence throughout the country and the induction and training of staff. The second task is centred on assisting in the preparation, organization and planning of electoral activities, necessary to meet the deadline of 31 January 2005, as well as of the elections to be conducted later, in the transitional period.

33. The Chief Electoral Officer of UNAMI, who is also the international member of the Board of Commissioners of the Independent Electoral Commission, heads the United Nations electoral team. The Chief Electoral Officer supervises a team of international electoral experts, from both the United Nations and other organizations, assisting the Commission. Since August 2004 these experts have been instrumental in supporting the Commission in elaborating the institutional design, drafting regulations and procedures, defining the operational concepts and

modalities to be used — in particular with regard to voter registration — and establishing the electoral administration.

34. Several senior staff of the Electoral Commission's national headquarters have now been appointed and the procedure for selecting the heads of future Governorate election offices has also commenced. The recruitment of Iraqis to these key positions will permit a substantial increase in the capacity of the electoral institution. Of critical importance for the timely delivery of the election, these staff will begin the process of establishing election offices throughout the country. To accommodate the recruitment of the new staff, induction and training have been prepared and are scheduled to commence on 1 September 2004.

35. The electoral component of UNAMI has been preparing projections and feasibility studies for a variety of operational models, to be considered by the Independent Electoral Commission. The results of the studies led to an acknowledgement that a voter registration exercise based on a completely new system would not permit the organization of elections before 31 January 2005. Consequently, an alternative approach using the public distribution system, also known as the ration card system, has been adopted by the Commission as the most practical means to create a voters roll within the tight time frame available. Using the personal security details database as a starting point, the records will be put on public display, enabling eligible voters to verify the details and, if necessary, make changes or have their records added to the roll.

36. The Mission's electoral component, in close coordination with UNDP in Iraq, has also assisted and supported the Electoral Commission in refurbishing necessary facilities, furniture and computer equipment. UNDP has provided critical and timely assistance by supporting the training and travel of Commission staff, contracting international electoral consultants, and responding to requests to procure computer and other necessary equipment to establish the election offices.

37. The regulatory framework for both the electoral administration and operational activities is progressing with the support of the United Nations electoral component. The rules of procedure for the operations of the Board of Commissioners as well as a code of ethics have been successfully adopted. Several remaining administrative regulations, which are in preparation, will structure and define the internal operation of the electoral administration. Finally, operational regulations with regard to (a) voter registration, (b) registration of political entities, (c) certification of candidate lists, and (d) a code of conduct for electoral observers are currently being drafted.

38. At the formal request of the Independent Electoral Commission, the United Nations is the lead international agency supporting the Iraqi electoral process. The UNAMI electoral component, in close cooperation with the Electoral Assistance Division of the Department of Political Affairs, is coordinating the provision of international financial and technical assistance to the Commission. An informal International Contact Group on Elections chaired by the Chief Electoral Officer has been established in Baghdad. Its first meeting was held on 19 August 2004. This group will continue to meet regularly in order to share information on the electoral process and to coordinate international support on the ground. In addition, an electoral cluster has been established under the United Nations Development Group (UNDG) Iraq Trust Fund within the International Reconstruction Trust Fund Facility

for Iraq to channel voluntary contributions from donor countries to activities in support of the Electoral Commission and the electoral process.

39. Preparations for the elections are facing two key challenges: to build the electoral administration from scratch, particularly at the local level, and, at the same time, to meet the daunting logistical requirements for voter registration and polling, within a precarious security environment. The security environment continues to pose a very profound challenge for the successful achievement of these goals. Significantly, the deliberate low public profile of the Electoral Commissioners, imposed by security concerns, has limited their ability to create recognition and awareness for the electoral institution, as well as its role and mandate in the transitional process. This awareness and recognition of the independence of the Electoral Commission will be necessary to gain the confidence and support of the Iraqi people.

40. One other challenge is the funding of the Electoral Commission. So far, no mechanism has been established by the Interim Government of Iraq for guaranteeing the financial autonomy of the Commission and access to the full amount of funds earmarked for elections in the Iraqi national budget. Nevertheless, the Commission has received assurances of support from the Interim Government. A lack of timely access to funds could create delays in the electoral process.

41. The support of the international community to the Electoral Commission has been recognized as critical to the successful organization of elections by 31 January 2005. In organizing elections that meet international standards, the Commission will rely heavily on the technical support of the international community, particularly with regard to the development of the Commission as an independent institution, assistance in operational planning, procurement, data management systems, training and public information about the electoral process. The United Nations will make every effort to strengthen its support for the electoral process to avoid undue delays. I count on other technical assistance providers to do the same.

## V. Update on the activities of the Mission

### A. Deployment of the new Special Representative of the Secretary-General to Baghdad

42. My Special Representative and Head of the United Nations Assistance Mission for Iraq arrived in Amman on 8 August 2004. Following mandatory security training and meetings with UNAMI staff and the Heads of United Nations agencies and programmes in Amman, Mr. Qazi proceeded to Baghdad on 13 August with a seven-member core team. Immediately upon arrival, he met with President Al-Yawer and Prime Minister Allawi, both of whom welcomed the re-entry of the United Nations and assured him of their full cooperation.

### B. Political activities

43. The immediate engagements of my Special Representative included the National Conference and contacts aiming at a peaceful settlement of the conflict in Najaf. He had an opportunity to meet with leaders from Iraqi political life, including

non-governmental organizations, members of minority groups and women's organizations participating in the Conference. In particular, discussions were held with Iraqi leaders who were, for a period of time, considering withdrawing from or refusing to participate in the National Conference. He also began to call upon members of the diplomatic corps in Baghdad, including the representatives of the permanent members of the Security Council, and senior officials of the multinational force.

44. In all the contacts, my Special Representative expressed the readiness of the United Nations to assist Iraqis, as circumstances permitted, in the transitional political process, as requested by the Interim Government of Iraq and the Security Council. Another theme emphasized was the need for Iraqis to assume ownership of the transitional political process and the importance of resolving differences through peaceful means.

45. The presence in Baghdad of my Special Representative with a political team will greatly facilitate contacts at the national level and preparations of periodic and specialized assessments of the developing situation in Iraq. However, in the absence of regional offices and with severe restrictions on the movements of United Nations staff owing to the serious security situation, the UNAMI offices in Kuwait and Amman remain important.

## C. Capacity-building, humanitarian assistance, reconstruction and development

46. During the period under review, UNAMI has continued to facilitate a sustained effort to support coordination efforts of the Iraqi authorities in response to the humanitarian needs arising from the outbreak of hostilities in different parts of the country. UNAMI makes every effort to ensure that, whenever possible, Iraqi nationals, including contractors, non-governmental organizations and other partners, are given the tasks of project implementation.

47. Humanitarian activities have been coordinated through the Ministry of Health and the Ministry of Displacement and Migration in Baghdad. These Ministries have established a 24-hour crisis operation room and a Directorate for Humanitarian Affairs, respectively. The Ministries of the Interior, Municipalities and Public Works, Human Rights, Trade, Environment, Planning and others have joined the coordination efforts; they are increasingly seeking a greater involvement of the United Nations on the ground in the contingency and coordination processes aimed at building capacity at the ministerial level to establish a National Emergency Coordination Centre. However, the security situation, continued violence and specific incidents, such as kidnappings, clearly prevent an expansion of the United Nations humanitarian presence at this time. A watching brief on potential flashpoints is being maintained through the Mission's humanitarian information network which is currently being consolidated with non-governmental organization partners in 15 of the 18 Iraqi governorates.

48. Support to the reconstruction process through the UNDG Iraq Trust Fund continues in cooperation with principal Iraqi Ministries and other organizations. As at 22 August 2004, the UNDG Iraq Trust Fund Steering Committee has approved more than US$ 395 million for 37 projects addressing urgent rehabilitation or reconstruction needs in the areas of education, health, environment, basic services

and housing, among others. United Nations agencies are now taking all necessary steps to ensure the fullest utilization of approved funds although the security situation continues to be a constraint on rapid implementation. In the coming months further projects are being finalized in cooperation with the Iraqi authorities, which will be presented at the donors conference in Tokyo in October 2004.

## D. Human rights activities

49. UNAMI and the Office of the United Nations High Commissioner for Human Rights are closely following the human rights situation in the country. The Human Rights Office of UNAMI continued to assist non-governmental organizations in developing their role in Iraqi society. To this end, training projects on management skills and human rights documentation and monitoring are ongoing. A grant scheme is being devised to support new civic groups, particularly those with a human rights orientation. A human rights officer has been included in the team of my Special Representative and was deployed to Baghdad on 27 August 2004. This will facilitate liaison with relevant ministries, civil society and others to promote human rights and the rule of law.

## E. Public information activities

50. UNAMI public information activities have been aimed at educating the wider public about the United Nations mandate and activities in Iraq. The United Nations, in its advisory role, also assisted the media campaign to raise public awareness of the National Conference. This was achieved through the provision of United Nations financial and technical assistance, mobilizing Iraqi expertise and the extensive use of all major print and media outlets.

51. In the coming months, the efforts will be focused on assisting the Independent Electoral Commission of Iraq in the area of voter education. There appears to be a strong desire on the part of the Iraqi public to learn more about the election process. To this end, training workshops are being organized for Iraqi journalists and civil servants associated with public information activities. Attention is also being given to developing a coherent and imaginative approach, in consultation with the Electoral Commission, to enhancing public awareness regarding the mechanics of the forthcoming elections.

## F. Facilities, logistics and budget

52. An administrative and logistics detachment of United Nations support staff has been operating in Baghdad since 8 July 2004 to plan and prepare for the re-entry of my Special Representative and his team, as circumstances have permitted. Their work, which has been supported by the Interim Government of Iraq and the multinational force, enabled UNAMI to re-engage in the implementation of the mandate. Initial efforts focused on establishing interim offices and the requisite communications infrastructure to support the deployment of United Nations staff. The detachment also supported the engagement of the United Nations in the National Conference. Currently, the focus is on the development of permanent facilities in Baghdad. Despite logistical and security constraints, significant progress

has been made. Decisions on the actual occupation of these facilities will however require a prior security assessment.

### 1. Facilities

53. Consolidation of facilities has been completed in the broader UNAMI mission area with the closure of the Larnaca office, the relocation of the UNAMI office in Amman to secure premises and the opening of the Logistics Support Base in Kuwait, which has proved to be very useful in the support and establishment of facilities in Basra and Baghdad. Logistics support is managed under a common services agreement framework which provides support to the Mission and specialized agencies and programmes. I wish to acknowledge the excellent cooperation rendered to UNAMI by the Governments of Jordan and Kuwait.

54. At present, temporary offices have been established at three different locations within the "international zone" in Baghdad. There is an emerging consensus that the Diwan School would be the most suitable location for the headquarters of UNAMI, subject to the implementation of security-related enhancements. The occupation of these premises will not be considered before minimum operational security modifications have been completed. As a result, the planning and infrastructure development for full occupancy have started with a view to having the facility ready by mid-November. The tentative deadline is contingent upon the deployment of necessary support staff, as circumstances permit.

55. Renovation work continues at the United Nations-designated facility in Basra; the expected completion date is 30 September 2004. Additional premises have been identified and an agreement for their use is currently being discussed with the relevant Iraqi authorities. Tenders for the development of facilities in Erbil are being evaluated. It is expected that the project will take three months to complete once the work has started. It should be noted, however, that the shipment of necessary equipment to Erbil from the United Nations Logistics Base in Italy has been held in abeyance pending further discussion with the Interim Government of Iraq regarding the appropriation of United Nations-owned assets by the concerned local authorities in the north of Iraq.

### 2. Logistics

56. The logistics planning framework for Iraq is determined by two basic factors: a serious security situation with the consequent need to minimize staff exposure to unnecessary risks, and the lack of basic support infrastructure. UNAMI has concluded that the only viable means for providing logistics support for the time being would be through the utilization of a support services contract that is currently providing support for the multinational force. To this end, arrangements are being discussed and a memorandum of understanding is being concluded between the United Nations and the multinational force in Iraq. I am confident that these arrangements will enhance logistics support.

### 3. Budget

57. Projections indicate that previously approved funds will be adequate to cover current expenditures of UNAMI for the remainder of 2004. I have recently approved a concept of operations for UNAMI. A comprehensive operational plan is currently being developed. To that end, the substantive goals and tasks of UNAMI are being

elaborated to identify the activities of the mission and the manner of implementation, as circumstances permit. Once these are completed, the number and type of personnel needed to fully implement the mandate will be determined. It should be noted that the UNAMI budget for 2005 will have to reflect the requirements for electoral staff and enhanced security arrangements.

## G. Other issues

### 1. 19 August commemoration

58. The commemoration of the first anniversary of the victims of the terrorist attack on the United Nations headquarters was observed on 19 August 2004, at solemn ceremonies in Amman, Baghdad and Kuwait. In Baghdad, a poignant gesture was made by a delegation from the General Union of Students in the Republic of Iraq. The delegation visited the Canal Hotel compound to place flowers, observe a minute's silence and offer prayers.

### 2. Agreements

59. Mission agreements with host countries where UNAMI is deployed are essential to enable movement, security and various administrative and logistical functions. The status-of-mission agreement with Jordan was signed in August. The agreement with Kuwait is in the final stages of preparation and is expected to be signed soon. The United Nations is also finalizing a status-of-mission agreement with the Government of Iraq, as well as bilateral agreements with the United States of America on protection by the multinational force pursuant to resolution 1546 (2004) and on logistical assistance (see para. 56 above).

# VI. Observations

60. Following the restoration of sovereignty to an Interim Government of Iraq on 28 June 2004, the convening of the National Conference marked another step in Iraq's political transition towards a constitutionally elected Government. The Conference was held in difficult circumstances and had many shortcomings. In particular, neither the Conference itself, nor the Interim National Council which emerged from it, was as broad-based and as inclusive as most Iraqis would have wanted. Yet the Conference did proceed without major disruptions and managed to make advances on several critical aspects. The main themes discussed at the Conference should be further developed into a national agenda reflecting the ideas and concerns of all segments of Iraqi society.

61. At the same time, however, notwithstanding the restoration of sovereignty and the holding of the National Conference, the overall security environment has not seen any significant improvement. Coupled with a tragic pattern of hostage-takings and indiscriminate killings of innocent civilians, there has been renewed activity on the part of various insurgent groups throughout the country. In addition to severely disrupting everyday life for Iraqis, the ongoing violence could undermine confidence in the transitional political process, making it more difficult to create the conditions necessary for the holding of elections in January 2005.

62. The Interim Government faces the heavy burden — especially given the circumstances and manner in which it was selected, and the limited mandate it has been given — of keeping the political transition process on track and as inclusive as possible. The Interim Government is trying to work in this direction, and needs to be assisted by all in a position to help. Ultimately, the people of Iraq must be continually reassured and convinced that the process is unequivocally moving towards the goal of making them the masters of their own political future. In the brief but highly significant period that lies ahead, the Interim Government, together with the Interim Council, has a special responsibility to make the political process as widely inclusive as possible in order to reflect the full range of the legitimate aspirations of the Iraqi people.

63. A crucial challenge for the Iraqi authorities will be to create the necessary conditions to allow Iraq to become a society based on the rule of law. This implies a coordinated effort in the transformation of law and order institutions, encompassing police, judicial and penal reform. All parties should actively support the Government's decision to disband militias, whose members should be reintegrated into civil society. All parties should refrain from actions which could exacerbate tensions and must adhere to their responsibilities under international humanitarian and human rights law, especially with regard to the protection of civilians. Moreover, all political and civic forces need to recognize that years of shared suffering require a shared effort to develop a common vision for building a society respectful of the diversity and heritage of Iraq. An Iraqi-led and Iraqi-owned process entails the responsibility for taking actions and generating incentives that can bring the country together. Only then can the political process start to reverse the pattern of violence and insecurity.

64. It must be recognized that the problem of insecurity can only be addressed through a political process. This requires a commitment to stop relying solely or mainly on threats or actual use of armed force and to pursue determined and genuine efforts to address political, economic, social and cultural concerns and grievances by peaceful means. It also requires a shared willingness to engage in sustained and transparent dialogue in a spirit of mutual understanding and compromise. All Iraqi parties already taking part in the transitional process should continue to work towards making it more inclusive and participatory. Primary responsibility in this regard lies with the Interim Government. Additional efforts need to be made to engage with those constituencies that have yet to join the political transition process and to enable Iraqi institutions to make decisions that reflect the views and concerns of the Iraqi people. The United Nations, through my Special Representative, stands ready to play a facilitation role in the political process, as it pertains to all aspects of its mandate in Iraq.

65. Iraqis will need to develop a comprehensive approach to rebuilding their country — political, military, socio-economic and rights-based. This will be a long-term process over several years. Although Iraq clearly has the human potential to succeed, it will need the full political and economic support of the international community. Iraq's neighbours have an important role to play in this regard, by promoting regional dialogue and cooperation. I look forward to more initiatives aimed at normalizing Iraq's relations with the region and the international community.

66. I would like to empahsize that the Iraqis themselves are responsible for the electoral process and its outcome: the elections will be organized and conducted by the Independent Electoral Commission of Iraq. The United Nations will continue its advisory role to strengthen the Commission's independence and help promote its work. I call upon Member States to support the Commission and the Interim Government in fulfilling their roles in leading the Iraqi people to the full enjoyment of their freedoms.

67. With the deployment to Baghdad of my new Special Representative and a core UNAMI team, the United Nations has entered a new phase in implementing the mandate conferred upon it in resolution 1546 (2004). However, our mandate in Iraq has brought us yet again face to face with the possibility that United Nations staff may become main targets of violence. This poses a fundamental challenge for our work in Iraq: how should we operate in a country where the people want and expect us to help, while certain groups and individuals are determined to prevent us from fulfilling our mandated tasks, including by resorting to violence?

68. A conducive security environment is clearly and intimately linked to the performance of our operations in Iraq. At this juncture, circumstances do not permit the United Nations to implement to the fullest extent the essential tasks under its mandate pursuant to resolution 1546 (2004). Unless and until there is a significant improvement in the overall security situation, UNAMI will have to continue to work both inside and outside Iraq, as circumstances permit, with a restricted presence on the ground in Iraq. The security of United Nations staff remains the overriding guiding principle for our mission. This means that our role and presence in Iraq cannot be separated from the risks to which we are exposed. Our actions should be confined to what is logistically feasible and advisable against the backdrop of the evolving reality on the ground.

69. It is therefore crucial that the necessary security arrangements for United Nations operations in Iraq are finalized as soon as possible. It is particularly important that the distinct entity of the multinational force mandated to provide security for the United Nations presence should be identified or deployed immediately prior to the deployment of the UNAMI guard units. I expect the full support of Member States, particularly in the Security Council, to contribute to this common endeavour.

70. It is vital that the transition process succeeds. The United Nations remains committed to doing everything possible, as circumstances permit, to support Iraqi efforts in the political and economic reconstruction of their country. Let me emphasize again that Iraqis need to have full ownership of the political process. I would like to take this opportunity to express my deep appreciation for the role of all United Nations staff working on Iraq. I am particularly grateful to our Iraqi national staff, whose commitment under very difficult circumstances helped UNAMI to bridge the difficult period from August 2003 to the present.

United Nations S/2004/710/Corr.1

# Security Council

Distr.: General
27 September 2004

Original: English

## Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004)

**Corrigendum**

Paragraph 59 *should read*

59. Agreements with host countries where UNAMI is deployed are essential to enable movement, security and various administrative and logistical functions. An agreement for the office in Jordan was signed in August. An agreement with Kuwait is in the final stages of preparation and is expected to be signed soon. The United Nations is also finalizing a status-of-mission agreement with the Government of Iraq, as well as bilateral agreements with the United States of America on protection by the multinational force pursuant to resolution 1546 (2004) and on logistical assistance (see para. 56 above).

04-52453 (E) 280904

United Nations S/2004/711

Security Council

Distr.: General
3 September 2004

Original: English

## Letter dated 31 August 2004 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1545 (2004) of 21 May 2004, by which the Council decided to authorize the deployment of the United Nations Operation in Burundi (ONUB), as from 1 June 2004.

Following the usual consultations, I wish to inform you that Bangladesh, Belgium, Benin, Bolivia, Burkina Faso, Chad, China, Ethiopia, Gabon, the Gambia, Ghana, Guatemala, Guinea, India, Jordan, Kenya, Malawi, Malaysia, Mali, Mozambique, Namibia, Nepal, the Netherlands, the Niger, Nigeria, Pakistan, Paraguay, Peru, the Philippines, Portugal, the Republic of Korea, Romania, the Russian Federation, Senegal, Serbia and Montenegro, South Africa, Spain, Sri Lanka, Togo, Tunisia, Uruguay, Yemen and Zambia will be included in the list of countries contributing military personnel to ONUB.

I should be grateful if you would bring this to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-49987 (E) 070904

United Nations S/2004/712

# Security Council

Distr.: General
3 September 2004

Original: English

## Letter dated 3 September 2004 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 31 August 2004 (S/2004/711) concerning the inclusion of Bangladesh, Belgium, Benin, Bolivia, Burkina Faso, Chad, China, Ethiopia, Gabon, the Gambia, Ghana, Guatemala, Guinea, India, Jordan, Kenya, Malawi, Malaysia, Mali, Mozambique, Namibia, Nepal, the Netherlands, the Niger, Nigeria, Pakistan, Paraguay, Peru, the Philippines, Portugal, the Republic of Korea, Romania, the Russian Federation, Senegal, Serbia and Montenegro, South Africa, Spain, Sri Lanka, Togo, Tunisia, Uruguay, Yemen and Zambia in the list of countries providing military personnel to the United Nations Operation in Burundi (ONUB) has been brought to the attention of the members of the Council. They take note of the information contained in your letter.

(*Signed*) Juan Antonio **Yañez-Barnuevo**
President of the Security Council

04-49993 (E) 070904

United Nations S/2004/713

# Security Council

Distr.: General
3 September 2004

Original: English

## Letter dated 1 September 2004 from the Secretary-General to the President of the Security Council

I have the honour to refer to the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS) and to inform the Security Council of my intention to designate João Bernardo Honwana (Mozambique) as my Representative in Guinea-Bissau and Head of UNOGBIS as from 15 September 2004.

Mr. Honwana will succeed David Stephen, who served in Guinea-Bissau from February 2002 until his retirement from the United Nations in April 2004, and whose excellent work has greatly contributed to the consolidation of peace in that country.

I should be grateful if you could bring this letter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-49999 (E) 070904

United Nations S/2004/714

Security Council

Distr.: General
3 September 2004

Original: English

## Letter dated 3 September 2004 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 1 September 2004 (S/2004/713) concerning your intention to designate João Bernardo Honwana (Mozambique) as your Representative in Guinea-Bissau and Head of the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS) has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) Juan Antonio **Yañez-Barnuevo**
President of the Security Council

04-50005 (E) 070904

United Nations S/2004/715

# Security Council

Distr.: General
7 September 2004

Original: English

## Letter dated 3 September 2004 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to my third special report on the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) dated 16 August 2004 (S/2004/650), which was considered by the Security Council during its informal consultations on 25 August 2004. I am pleased to note that the Council members generally shared my analysis of the political situation in the Democratic Republic of the Congo, and that they recognized the need to enhance the involvement of the United Nations in the peace process in that country.

As the members of the Security Council and the troop-contributing countries are aware, I am extremely concerned about the volatile security environment prevailing in the Democratic Republic of the Congo following the crisis that erupted in Bukavu in May/June, and the massacre of Congolese Banyamulenge refugees in Gatumba, Burundi, on 13 August.

The possibility of a further deterioration cannot be ruled out, given the speed with which events are unfolding. Pending the Security Council's decision on the recommendations contained in my third special report, I should like to propose that the Council consider taking an urgent decision to deploy emergency reinforcements to MONUC. Such reinforcements would consist of two additional infantry battalions and four attack helicopters. I feel that the Council's speedy action in this regard would help to demonstrate its continuing commitment to the peace process in the Democratic Republic of the Congo. It would also provide MONUC with the necessary capability to address immediate security concerns.

However, these additional assets cannot meet the long-term requirement of reinforcing MONUC, pursuant to the plans outlined in my third special report. I therefore wish to stress that the proposed interim deployment should be without prejudice to the consideration of the future expansion of MONUC by the Council. I continue to believe that such an expansion would be the best way to support the peace process in the Democratic Republic of the Congo, especially as it enters the critical electoral period, and to reinforce the stability of the region as a whole.

I should be grateful if you would bring this request to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-49980 (E) 070904

United Nations S/2004/716

# Security Council

Distr.: General
7 September 2004

Original: English

## Letter dated 3 September 2004 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the Accra III Agreement on Côte d'Ivoire, which was concluded on 30 July 2004 in Accra, to the statement by the President of the Security Council of 5 August 2004 (S/PRST/2004/29) and to my letter dated 16 August 2004 concerning the monitoring of the Agreement (S/2004/667).

Please find herewith the second report of the tripartite Monitoring Group established in Accra. I should be grateful if you would bring the present letter and its annexes to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-50074 (E) 100904

**Annex**

**Implementation of the Accra III Agreement**

**Second report of the Monitoring Group**

## I. Introduction

1. The present report is submitted pursuant to the Accra III Agreement which established the Tripartite Monitoring Group and requested it to submit fortnightly reports on progress in the implementation of the Agreement to the Chairman of ECOWAS, the Chairperson of the African Union and the Secretary-General of the United Nations.

## II. The Peace Process – An overview

2. The first report highlighted the significant advance in the peace process by the resumption of work of the Government of National Reconciliation. The "password" at the time was the urgent and accelerated pace of the Government to reactivate its functions, including completing work on submitting to the National Assembly all pertinent texts of legislation as envisaged under the Linas-Marcoussis Agreement.

3. The period since the reconvening of the Government of National Reconciliation continues to be marked by the debate ranging from divergent interpretations of the Accra III Agreement to views on how to secure a full measure of consensus among the political forces in its implementation. Positive signals, however, may be seen in several developments, within and outside Government, involving the President, the Prime Minister, Ministers, other political actors and the defence and security forces.

4. Much focus has been given to the proceedings of the National Assembly over the texts of legislation submitted to it. These proceedings - so far on just one text of legislation relating to the Independent Electoral Commission - have been characterised by sharp political divisions threatening to escalate into a gridlock. Whatever the looming cloud of political controversy, there is, nonetheless, a silver lining to it, which may be

discerned as the persevering momentum building up to give impetus to the peace process. The military, in the words of the heads of FANCI and the armed wing of the Forces Nouvelles have, through their renewed consultations over the DDR and other matters within the Quadripartite Commission, demonstrated their determination to end the state of belligerency between the military protagonists. This has given hope for the Chairman of the National Commission on DDR, Mr. Alain Richard Donwahi, to plead with the Ivorian political actors to follow the lead example of the military:

"*May the political actors follow in your footsteps by re-examining their ambitions andre-evaluating their love for our shared country.*"

## III. Developments in the Peace Process

The Government of National Reconciliation

5. It is self-evident that the Prime Minister has braced himself to taking full charge of his responsibilities as leader of the Government. In discussions with him, the members of the Group did not gain the impression that the Prime Minister felt constraints with the terms of his delegated powers, despite the declaration by the G7 Marcoussistes that the ambit of these powers were still inadequate. The Prime Minister has been pursuing his working consultations with the President over the work of the Government, although the President has taken a short vacation break and has ordered a recess for the Ministers. On their return, the Ministers are under injunction to address an agenda of business which will require increasing consultations and meetings to ensure accelerated implementation of the Linas-Marcoussis and Accra III Agreements, leading to DDR, extension of State authority, reunification of the country and elections in 2005.

6. At separate meetings with the Monitoring Group, the President and the Prime Minister have called for cohesion and a sense of collective responsibility within the Government of National Reconciliation. They have undertaken measures of confidence-building within the Government. The

Prime Minister has encouraged moves to improve relations especially with the Forces Nouvelles. The President has twice met with Guillaume Soro, the Secretary General of the Forces Nouvelles, when both of them reiterated their renewed commitment to work in good faith to implement the Accra III Agreement.

7. On 14 August 2004, in the renewed surge of political goodwill among the political forces in the Government, the Prime Minister proceeded on a symbolic visit to Korhogo in the Forces Nouvelles-controlled Northern zone of the country. His visit was prepared by all the Forces Nouvelles Ministers who preceded him to arrange an appropriate reception for him. The Prime Minister's delegation included Ministers in Government from all the political forces, including the FPI. The Prime Minister's delegation was given such a rousing welcome by the population that he even announced his intention to propose to President Gbagbo to convene a meeting of the Council of Ministers at that venue. The political significance of the Prime Minister's visit must be read into the strategy of the Government to proceed gradually to extend State authority and deploy the administration of social and public services throughout the country. In that way, the population would be made to see the benefit that would accrue to them in the new scheme of things in spite of the known political reservations of certain political actors. The Prime Minister has informed the Monitoring Group that, through the mechanism of an inter-ministerial Committee, he is currently engaged in syndicating funds to launch the Government's programme of reviving public administration, educational and medical services in the Forces Nouvelles-controlled Northern and Western zones of the country. He was seeking the support of international aid and development agencies and would look forward to the support of the Impartial forces in providing safe conduct and security to the personnel, premises and properties involved in the exercise.

8. The Prime Minister is also engaged in sorting out those grievances, which the opposition parties advanced as hampering the efficient functioning of the administration. He is currently addressing the question of the close protection as well as other issues such as lodging for the Ministers from the Forces Nouvelles. In this connection, the good offices and intervention of the Monitoring Group were sought by the Forces Nouvelles. The Group has had consultations with the Prime Minister and the Force Commander of ONUCI. The Prime Minister has made it clear that the cost of the current board and lodging arrangements at the Riviera Golf Hotel for the Forces Nouvelles cannot be sustained. Over the past year, it has slipped into an

open-ended expenditure, hence the spiralling arrears in payment to the Hotel. Like all other Ministers of the Government, they will be provided suitable official accommodation with guaranteed close protection by ONUCI. These arrangements were well on course. On consultations with the Force Commander of ONUCI, he has informed the Group of the security arrangements so far put in place and yet to be completed, as recommended under the Linas-Marcoussis Agreement, for all Ministers of the Government and political forces signatories of that Agreement. There are currently, however, some deficits in the strength of the Gendarmerie for that programme. This will be reinforced with the impending presence of the Togolese platoon in the Abidjan area. Proposals have been made by ONUCI to UN Headquarters for additional budgetary and troops provisions to meet these contingent circumstances. The Prime Minister has set a deadline of some two months (September/October 2004) to resolve these matters, which go to the heart of measures aimed at guaranteeing personal security and fostering the climate of mutual trust among the political forces.

Quadripartite Commission and Cooperation among military protagonists, Impartial forces, and the DDR process.

9. In the period since the resumption of dialogue within Government, a major development in the peace process is the work of the Quadripartite Commission and its positive implications for the DDR process. At the initiative of the ONUCI Force Commander, the Heads of FANCI, the armed wing of the Forces Nouvelles (FAFN) and of LICORNE have begun two-tier weekly meetings of the Quadripartite Commission. Weekly meetings of Heads are scheduled to endorse or review recommendations made by the weekly meetings of Chiefs of Staff. The Chairman of the National Commission on DDR is invited to participate in the discussions on DDR.

10. A positive outcome of these contacts was the meeting at Raviart, on 16 August 2004, of the Quadripartite Commission with the Force Commander of ONUCI in the chair. The meeting was attended by FANCI, FAFN, ONUCI, LICORNE and the CNDDR. Significant decisions were taken to improve the general security situation conducive to the free movement of people and goods in the country. To that end, the meeting discussed various actions to be taken in the deployment and operations of various defense and security forces, as well as the preparations for the DDR. The Raviart Communiqué announced i) the dismantling of checkpoints except maintaining two checkpoints at the entry and exit of each main township in the prefectures and sub-prefectures; ii) the removal of heavy

weaponry from an agreed distance away from the zone of confidence; iii) the implementation of practical measures to prepare for the start-up of the DDR programme scheduled for 15 October 2004.

11. These consultations within the Quadripartite Commission have implications for the implementation of the DDR programme according to the time bound schedule prepared by the CNDDR and agreed under the Accra III Agreement. (A copy of the Timetable for the DDR programme is attached as enclosure 1.) So far, the Quadripartite Commission has been focusing on the first part of the timetable (1.1 to 1.4). The 4R Seminar (1.4) has just concluded in Yamoussoukro and was organised by the CNDDR from Tuesday 24 to Friday 27 August 2004. Because of the support to be provided by the Impartial forces to the DDR process, both ONUCI and LICORNE have posted liaison officers to the office of the CNDDR to maintain continuing contacts, consultations and coordination of the relevant operations envisaged under the programme.

The National Assembly and the passage of relevant texts of legislation

12. At the request of the Head of State, the National Assembly has been called into extraordinary session from 11 August to 30 September 2004. The Monitoring Group has undertaken a survey to assess the status of the implementation of the pertinent texts of legislation and decrees envisaged under the Linas-Marcoussis and Accra III Agreements. The Group proceeded on drawing up a chart outlining the status of these various legislations. A copy of this chart is attached as enclosure 2. The National Assembly has drawn up its calendar of proceedings on these texts which is reproduced as enclosure 3 to this report. It will be seen that although the Accra III Agreement in its paragraph 8 envisaged the deadline of end of August 2004 for the adoption of these legislative texts, it does not appear possible to meet this deadline for the simple reason that the extraordinary session of the National Assembly began in the second week of August and will not complete its work before 30 September 2004.

13. In the period under review in this report, the National Assembly has embarked on debating the remaining list of texts of legislation which have been prepared and submitted by the Government. The full list of some sixteen (16) texts of legislation and six (6) decrees figure in the chart under enclosure 2. It is worthy of note that the text on the amendment to Article 35 of the Constitution (eligibility criteria) has as yet not been submitted to the National Assembly although it has been adopted by the Government. This is

because that issue remains a source of political speculation over what the Head of State plans to do in accordance with Paragraph 6 of the Accra III Agreement, which envisages that "the President of the Republic shall use the powers conferred upon him by the Constitution to implement by the end of September 2004 the provisions ..... on eligibility of the Programme of the Government of National Reconciliation annexed to the Linas-Marcoussis Agreement".

14. The Monitoring Group has been following the proceedings of the National Assembly in the last fortnight, which have focused mainly on the composition of the Independent Electoral Commission. There have been sharp divisions among the FPI parliamentary caucus on the one hand, and the PDCI, UDPCI and Solidarity caucuses on the other. The controversy is over the quota of representation on the Commission proposed by the Government to achieve parity of representation of all the ten political forces signatories of the Linas-Marcoussis Agreement. The Government's proposal of two representations per political force is in response to the Linas-Marcoussis Agreement (section II paragraph 2.b of its Annex), which calls "for achieving a better representation of the parties taking part in the Round Table within the central committee of the Independent Electoral Commission, including its Officers". In the view of the FPI, granting the three constituent movements of the Forces Nouvelles six places on the Commission would lead to an unfortunate imbalance in the representation in favour of the Forces Nouvelles. They, therefore, suggest that they should be given jointly two places as one movement. The other parliamentary caucuses would want to negotiate an agreed formula for the representation of all the relevant political forces. The debate has flared up into a major controversy, which led the opposition parliamentary caucuses to stage a walk-out in protest at the move by the FPI to proceed to a vote on the question. President Gbagbo has exercised his prerogative to stay the motion for a vote pending asking for leave to enable the Government to address the stalemate.

15. The current gridlock in the National Assembly does not augur well for some of the remaining texts of legislation yet to be considered by the Assembly, which are likely to face sharp divisions in the proceedings. Furthermore, it is expected that the National Assembly should complete the passage of "all legal reforms envisaged under the Linas-Marcoussis Agreement in accordance with its letter and spirit" at the latest by the end of September 2004. The spectre of controversy, which might well attend the National Assembly's consideration of any solution to the amendment of Article 35 of the Constitution, has already began to haunt the imagination.

Nonetheless, judging from the overall mood of the National Assembly, there appears to be building up a momentum to advance the peace process.

16. The Monitoring Group plans to enter into consultations with the parliamentary groups to explore possibilities of encouraging them to adopt a posture which would seek to put the urgency of the national peace process above partisan considerations. In this task, the Monitoring Group would coordinate the use of its good offices with those of the larger Monitoring Committee established under the Linas-Marcoussis Agreement.

## IV. Conclusion

17. The overall political atmosphere in Côte d'Ivoire continues to reflect attempts by various political actors to measure what partisan gains there are for themselves in the peace process. This posture could lead to a revival of political vindications and animosities which could erode the full and unconditional commitment to the Accra III Agreement. The international community must be conscious of this trend and must use its good offices to persuade all political actors to place the national interest above partisan advantage, as was repeatedly emphasised at the Accra III Summit. In furtherance of such a move, it is advised that the Chairpersons of ECOWAS, of the African Union and the Secretary-General of the United Nations concert with other moral guarantors of the Accra III Agreement to maintain personal contacts with the major political leaders, President Laurent Gbagbo (FPI), Mr. Henri Konan Bedie (PDCI), Mr. Alassane Ouattara (RDR) and Mr. Guillaume Soro (Forces Nouvelles) in order to encourage them to stay the course of the road map to peace and national reconciliation.

On behalf of the Group,
(*Signed*) Raph **Uwechue**
(Chairman)

**Enclosure 1**

[Original: English and French]

**Timetable for the DDR Programme**

1. **August 2004:**
   - 1.1 Resumption of quadripartite meetings/CTO (Cellule Technique Opérationnelle – *Technical Operations Unit*)
   - 1.2 Clarification on the status of the 4000 recruits enlisted after 19 September 2002
   - 1.3 Survey of the expectations of former combatants
   - 1.4 4R Seminar (Reintegration, Reconstruction, Rehabilitation and Reinstallation) leading to delineation of road map (**last week**)

2. **September – October 2004:**
   - 2.1 Rehabilitation of all the remaining DDR[a] zones
     - 6 zones phase 1 (East, Centre and West)
     - 3 zones phase 2 (South and North)
   - 2.2. Recruitment and training of personnel from UNDP, UNHCR, SITEL, CNDDR, ONUCI and security forces
   - 2.3 Availability of necessary funds for DD and the safety net
   - 2.4 Awareness campaign
   - 2.5 Identification of means of transportation for combatants from cantonment sites to DDR zones
   - 2.6 Identification and/or confirmation of cantonment sites
   - 2.7 Survey of opportunities for reintegration in DDR zones
   - 2.8 GTZ Agreement (German cooperation through UNDP) for the development of projects aimed at reintegrating 4000 youngsters in the West (2500 in areas controlled by the FN and 1500 in areas under Government control (armed militias))

3. **October 2004:**
   - 3.1 Setting up of a Committee for demobilization, comprising signatories of the JOP (Joint Operations Plan)
   - 3.2 Start of cantonment of troops on 15 October 2004

4 **November 2004:**
   - 4.1 Beginning of phase 1 of disarmament

5 **December 2004:**
   - 5.1 Beginning of phase 2 of disarmament
   - 5.2 End of disarmament operations by 31 December 2004

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[a] NB :
- There are 17 cantonment sites and 11 DDR zones
- Two (2) DDR zones are already rehabilitated (Bouake and Yamoussoukro)
- Handling capacity of former combatants is 300 men/day/site

## Enclosure 2

[Original: English and French]

### Synoptic table: status of progress of legislative texts envisaged under the Linas-Marcoussis Agreement

**A. Legislation**

| Legislation | Adopted by the Government | Submitted to the National Assembly | Adopted in Committee of Assembly | Passed by the National Assembly | Promulgated |
|---|---|---|---|---|---|
| 1) Legislation on the amendment to Article 35 of the Constitution | Yes | No | No | No | No |
| 2) Legislation on the Ivorian Nationality Code as amended by Law No 72-852 of 21 December 1972 | Yes | Yes [a] | No | No | No |
| 3) Legislation on the Land tenure regime | Yes | Yes | Yes | Yes | No |
| 4) Legislation on the National Human Rights Commission | Yes | Yes | Yes | Yes | |
| 5) Legislation relating to the disclosure of the personal assets of the Head of State | Yes | Yes | Yes | Yes | No |
| 6) Legislation on the public funding of political parties and electoral campaigns | Yes | Yes | No | No | No |
| 7) Legislation authorising the President of the Republic to ratify the additional protocol A/SP1/6/89 amending and completing the provisions of article VII of the protocol, signed in Ouagadougou on 30 June 1989, concerning the free circulation of persons, the right of residence and settlement. | Yes | Yes | Yes | Yes | No |

[a] The President of the Republic has, by letter, requested the National Assembly to temporarily remove from its agenda the draft text of legislation on the Nationality Code.

| Legislation | Adopted by the Government | Submitted to the National Assembly | Adopted in Committee of Assembly | Passed by the National Assembly | Promulgated |
|---|---|---|---|---|---|
| 8) Legislation authorising the President of the Republic to ratify the additional protocol A/SP2/5/90 relating to the implementation of the third step (right of settlement) of the protocol concerning the free circulation of persons, the right of residence and settlement, signed in Banjul on 29 May 1990 | Yes | Yes | Yes | No | No |
| 9) Legislation on Amnesty | Yes | Yes | Yes | Yes | Yes |
| 10) Legislation on Identification and Residence of foreign nationals | Yes | Yes | Yes | Yes | No |
| 11) Legislation on the establishment, organization and functions of the Independent Electoral Commission | Yes | Yes | No | No | No |
| 12) Legislation on the regime governing the Radio and Television media | No | No | No | No | No |
| 13) Legislation on the regime governing the Press | No | No | No | No | No |
| 14) Legislation on the Status of the opposition parties | No | No | No | No | No |
| 15) Legislation on the disclosure of the personal assets of political leaders | No | No | No | No | No |
| 16) Legislation on illegal personal enrichment | No | No | No | No | No |

## B. Decrees

| Draft decree | Adopted by the Government |
|---|---|
| 1) Decree on the establishment, organisation, functions of the National Identification Commission | Yes on 6 January 2004 |
| 2) Decree on the acquisition and format of the National identity card | Yes on 7 January 2004 |
| 3) Decree relating to the amendment of the decree on the establishment of the National Identification Office | Yes in January 2004 |
| 4) Decree relating to the appointment of the Chairman of the National Identification Commission | Yes on 29 January 2004 |
| 5) Decree relating to the appointment of the Secretary-General of the National Identification Commission | Yes on 29 January 2004 |
| 6) Decree relating to the establishment of the Inter-ministerial Commission on the Media and its technical Secretariat | Yes on 19 August 2003 |

**Enclosure 3**

[Original: English and French]

**Extraordinary session of the National Assembly from 11 August to 30 September 2004: major texts to be considered**

1. **Legislation modifying the Independent Electoral Commission**
   a. Wednesday, 18 and Thursday, 19 August: Committee session
   b. Wednesday, 1 September: adoption of the report of the Committee
   c. Tuesday, 7 September: plenary session to adopt legislation

2. **Legislation relating to the public funding of political parties**
   a. Friday, 20 August: Committee session
   b. Wednesday, 1 September: adoption of the report of the Committee
   c. Tuesday, 7 September: plenary session to adopt legislation

3. **Legislation on the Ivorian Nationality Code**
   a. Monday, 23 and Tuesday, 24 August: Committee session
   b. Wednesday, 1 September: adoption of the report of the Committee
   c. Wednesday, 8 September: plenary session to adopt legislation

4. **Legislation on illegal personal enrichment**
   a. Monday, 13 and Tuesday, 14 September: Committee session
   b. Wednesday, 22 September: adoption of the report of the Committee
   c. Monday, 27 September: plenary session to adopt legislation

5. **Legislation on regime governing radio and television media**
   a. Wednesday, 15 to Friday, 17 September: Committee session
   b. Wednesday, 22 September: adoption of the report of the Committee
   c. Tuesday, 28 September: plenary session to adopt legislation

6. **Draft legislation on regime governing the Press**
   a. Wednesday, 15 to Friday, 17 September: Committee session
   b. Wednesday, 22 September: adoption of the report of the Committee
   c. Tuesday, 28 September: plenary session to adopt legislation

United Nations A/59/333–S/2004/717

General Assembly
Security Council

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7 September 2004

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General Assembly
Fifty-ninth session
Item 57 (n) of the provisional agenda*
**Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Organization for Security and Cooperation in Europe**

Security Council
Fifty-ninth year

## Identical letters dated 3 September 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the letter dated 3 September 2004 from Mr. Elmar Mammadyarov, Minister for Foreign Affairs of the Republic of Azerbaijan regarding the illegal activities carried out by Armenia in the occupied territories of the Republic of Azerbaijan, following the armed aggression and ethnic cleansing perpetrated by Armenia against Azerbaijan and its population, in blatant violation of international law and international humanitarian law (see annex).

I should be grateful if the present letter and its annex could be distributed urgently as a document of the General Assembly, under item 57 (n) of the provisional agenda, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

* A/59/150.

04-50062 (E) 080904

## Annex to the identical letters dated 3 September 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General and the President of the Security Council

In my letter of 10 July 2004 regarding the intention of the Armenian separatist regime established by the Republic of Armenia in the occupied territories of Azerbaijan to hold "elections" to the "local self-governance bodies" (S/2004/562, annex), I underlined the attempts of Armenia to consolidate the results of its blatant aggression against Azerbaijan. Today, I would like to draw your attention to other illegal actions carried out by Armenia in the occupied territories of Azerbaijan.

By maintaining its illegal occupation of the Azerbaijani territories, Armenia seeks to impose on Azerbaijan a forceful solution of the conflict on the basis of fait accompli and furthermore, ignoring and disrespecting the will of the international community with a sense of impunity, tries to annex part of the territory of Azerbaijan in violation of Armenia's own international commitments. To this end, Armenia has started to solidify the consequences of the unprecedented mass-scale ethnic cleansing campaign and to settle the Armenian population in the occupied Azerbaijani territories, thus creating a new demographic situation. I believe that the dangerous and potentially explosive impact of establishing these illegal settlements is self-evident.

Below are some facts documented by Armenian sources, which testify both that the settlements are being established and that this is being done in an organized manner:

(a) On 10 September 2001, the Armenian news agency Asbarez Online released the following information:

> "Officials in Yerevan, meanwhile, say that more than one thousand families from Armenia have taken up residence in Karabakh since 1994. Part of the settlers resides in the Armenian-controlled Lachin district in Azerbaijan. According to the Armenian Government's Department of Migration and Refugees, as many as 100,000 Armenian families are ready to move to Karabakh";

(b) According to the information provided by the Armenian news agencies Armenpress and Noyan Topan dated 10 January 2002:

> "[Armenia's] government-affiliated migration and refugee commission said that close to 700 families asked for permanent residency in Nagorno Karabakh between October 2000 and January 1, 2002. The biggest portion, 547 families, were urban residents of Armenia. Approximately 310 families were from Yerevan. The department said it helped settle 70 families or 370 people in Nagorno Karabakh in the last two years";

(c) The "Chief of the Department for Refugees and Migrants" of the so-called "Nagorno-Karabakh Republic", Serj Amirhanian, informed the ARKA and NKR news agencies that since January 2004 82 families from Armenia and other countries of the Commonwealth of Independent States had moved into the Nagorno-Karabakh region.

Armenia also falsifies the history and defaces the cultural and architectural heritage of the city of Shusha in the Nagorno-Karabakh region — a historical Azerbaijani city the overwhelming majority of the population of which were Azerbaijani before the Armenian occupation in May 1992. To ensure the implementation of this distortion of reality, Armenia, with the assistance of the Armenian diaspora, has established the so-called "Shusha" fund.

Armenia brings new settlers in and changes the demographic situation not only of the Nagorno-Karabakh region, but also of other occupied regions of Azerbaijan around Nagorno-Karabakh. The region of Lachin, under Armenian occupation since 1992, has now about 13,000 residents who were resettled there by the Government of Armenia. Moreover, Armenia applies an Armenian name, "Berdzor", to the Azerbaijani city of Lachin. This outrageous practice of historical falsifications has a long history — Armenia has always tried to "armenianize" native names of historical Azerbaijani places, adding a cultural "insult" to the "injury" of ethnic cleansing.

The Security Council, in paragraph 3 of its resolution 822 (1993) and paragraph 11 of its resolution 853 (1993), reaffirmed that "all parties are bound to comply with the principles and rules of international humanitarian law". Thus, the provisions of main legal instruments of international humanitarian law, inter alia, the Fourth Geneva Convention of 1949 and the First Additional Protocol, apply to Armenia, which is a party to all four Geneva Conventions and two Additional Protocols. As you also know, those provisions, namely, article 49 of the Fourth Geneva Convention and article 85, paragraphs 4 and 5, of the First Additional Protocol prohibit deportation or transfer of parts of a civilian population by an occupying power into the territory it occupies.

All the aforementioned illegal actions make evident once more the dangerous policy pursued by Armenia to alter the situation in the region and to prevent the return of the Azerbaijani population to their homes with a view to undermining the process of settlement of the conflict.

It is obvious that, without strong pressure on the part of the international community to hold Armenia responsible, it will not change its aggressive and destructive stance. The ongoing illegal settlement, so-called elections, based on exclusively mono-ethnic constituencies, infrastructural changes and other actions of the Armenian side on the occupied territories of Azerbaijan should be strongly and unequivocally condemned by the international community in the light of the already established precedent of considering and condemning similar illegal practices in occupied territories. Otherwise, the inaction of those who are responsible for the restoration and maintenance of peace and international security and for the mediation of the conflict between Armenia and Azerbaijan will further aggravate the situation, thus having a negatively impact, and ultimately undermining, the process of peaceful settlement of the conflict.

Should the victim and the aggressor, those who adhere to international law and those who violate it, be treated on an equal footing, we could hardly expect just and fair settlement of the conflict.

Azerbaijan expects that these serious concerns will receive your adequate reaction and prompt your strong action to remove the obstacles derailing the already fragile negotiation process. Only an attitude based on full and unequivocal respect

for the letter and spirit of international law may open up ways of reaching a just, complete and comprehensive settlement of the conflict between Armenia and Azerbaijan.

(*Signed*) Elmar **Mammadyarov**

United Nations A/58/884–S/2004/718

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Security Council

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**General Assembly**
**Fifty-eighth session**
Agenda items 117 and 156

**Human rights questions**

**Measures to eliminate international terrorism**

**Security Council**
**Fifty-ninth year**

## Letter dated 2 September 2004 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a copy of the statement from the Revolutionary Government of Cuba, issued on 26 August 2004.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda items 117 "Human rights questions" and 156 "Measures to eliminate international terrorism"; and of the Security Council.

(*Signed*) Orlando **Requeijo Gual**
Ambassador
Permanent Representative

04-50034 (E) 080904 080904

## Annex to the letter dated 2 September 2004 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

### Statement by the Revolutionary Government of Cuba

On 25 August 2004, despite repeated warnings from Cuba, Mireya Moscoso, President of Panama, in an underhanded and disgraceful act, signed Decree number 317, pardoning four Cuban-born terrorists, who were detained, tried and sentenced in Panama for the attempted assassination of President Fidel Castro in November 2000.

That decree was issued early this morning, only a few hours after our Ambassador, Comrade Zamora Rodríguez, had left Panamanian territory following his expulsion by the Panamanian authorities as part of a manoeuvre designed to create the conditions for the release of the terrorists Luis Posada Carriles, Gaspar Jiménez Escobedo, Guillermo Novo Sampoll and Pedro Remón Rodríguez.

The Decree confirms how serious and accurate have been the warnings from Cuba which, right from the moment the terrorists were detained on 17 November 2000, has been warning the Panamanian authorities both publicly and through diplomatic channels about the serious consequences that their release under any pretext would have for Panama's credibility. Cuba's warnings became more insistent from 14 August 2004, when our Government got confirmation, as more accurate information became available, that the terrorists would be pardoned by the outgoing President of Panama.

This last action taken by President Moscoso, in connivance with the United States Government and the Miami terrorist mafia just a week before leaving office, is but the culmination of a process of complicity with terrorism against Cuba and protection of the above-mentioned Cuban-born terrorists which began on 10 April 2001, when the President of Panama herself, through Executive Decisions 58, 59, 60 and 61, rejected our Government's legitimate and well-grounded application of 12 January 2001 for the extradition of the four terrorists, which met all the relevant requirements under Panamanian law and international instruments in force.

The acceptance of our application would have enabled Cuba to try them for the offences perpetrated for decades against its people and which have plunged so many Cuban families into mourning and caused such suffering.

It should be recalled that Luis Posada Carriles was directly responsible, among many other acts of terrorism, for the 1976 sabotage in full flight of a Cubana Aviacion passenger aircraft in which 73 persons perished; for the series of bombings perpetrated against Cuban hotels in the late 1990s, which resulted in the death of a young Italian tourist, Fabio di Celmo; and for many plans to assassinate our Commander-in-Chief. Posada Carriles is a fugitive from Venezuelan justice.

The many offences committed by Gaspar Jiménez Escobedo included the murder in Mexico of the Cuban fishing technician, Artañán Díaz Díaz; he also participated in the preparation of the bombings of Cuban hotels and the training of mercenaries recruited for such terrorist activities. Jiménez Escobedo escaped from prison in Mexico while awaiting trial for trafficking in explosives and drugs.

Guillermo Novo Sampoll was responsible for the placing of explosive devices in Cuban embassies and in the aircraft and ships of countries that trade with Cuba and, as such, could now be extradited by many countries to answer charges; furthermore, as an agent of the cruel dictator Augusto Pinochet's Chilean DINA, he was one of those responsible for the assassination in Washington of Orlando Letelier, Minister for Foreign Affairs of the Unidad Popular Government. Novo Sampoll was also directly involved in the training of terrorists on the territory of the United States of America, who were captured in 2001 in Cuba when they landed on our shores for the purpose of attacking civilian and tourist facilities in Cuba.

Pedro Remón Rodríguez murdered the Cuban diplomat, Félix García Rodríguez, on 11 September 1980 in New York and the Cuban emigrant, José Eulalio Negrín; he also placed bombs in the offices of the Permanent Mission of Cuba to the United Nations in late 1979 and made an attempt on the life of the Cuban Ambassador to the United Nations a few months thereafter.

These are the types of international terrorists that the President of Panama has just pardoned without even taking into account the fact that the proceedings against them had not been concluded. The Panamanian court that tried the terrorists for planning to assassinate our Commander-in-Chief in 2000 sentenced Luis Posada Carriles and Gaspar Jiménez Escobedo to eight years' imprisonment, and Pedro Remón and Guillermo Novo Sampoll to seven years' imprisonment; lawyers representing Panamanian workers', students' and indigenous peoples' organizations objected to the sentences as inconsistent with the seriousness of the offence and also because of irregularities surrounding the trial itself.

President Moscoso did not even wait for the higher courts of Panama to rule on the appeals process, flagrantly violating Panamanian law and displaying utter contempt for her country's judiciary.

Furthermore, as indicated in the communiqué published this morning by the Ministry of the Interior and Justice of the Republic of Panama in announcing the signing by President Moscoso of Decree number 317 pardoning the four terrorists, under article 179 of the Constitution of the Republic of Panama, the President may grant pardons for political offences, reduce penalties and grant conditional release to persons guilty of ordinary offences.

It may be wondered whether President Mireya Moscoso considers terrorism a "political offence". There is nothing "political" about the offences for which the terrorists were tried and sentenced by a Panamanian court. The four terrorists pardoned today by the President of Panama are nothing less than despicable ordinary criminals, terrorists and mercenaries who, in attempting to assassinate Comrade Fidel, would also have caused the deaths of hundreds of Panamanians.

Therefore, Cuba reiterates that the pardon granted by President Moscoso not only violates Panamanian law but also violates international anti-terrorist instruments signed by the Republic of Panama. It is an affront to the victims of terrorism and their families and makes the President of Panama an accomplice to terrorism and party to letting the four terrorists get away with murder.

The Revolutionary Government of Cuba recalls the warning in its official note of 22 August that pardoning the terrorists would lead to the automatic severance of diplomatic relations between the two countries; that warning was reiterated in the note published yesterday, 25 August 2004.

Therefore, pursuant to the agreement of the Council of State, the Revolutionary Government announces that as of this moment, 4.15 p.m. on 26 August 2004, diplomatic relations between the Republic of Cuba and the Republic of Panama, a State that has demonstrated its inability to prevent the horrendous decision that has just been taken against the people of Cuba, have been severed indefinitely.

The President of Panama, an accomplice and harbourer of terrorists, will have to bear the full responsibility for this repugnant and treacherous decision and will also bear responsibility for any new offences that these execrable murderers may commit in future.

Revolutionary Government of Cuba
Havana, 26 August 2004

United Nations A/ES-10/279–S/2004/719

General Assembly
Security Council

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**General Assembly**
**Tenth emergency special session**
Agenda item 5
**Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory**

**Security Council**
**Fifty-ninth year**

## Identical letters dated 7 September 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In grave breach of international law, including international humanitarian law, Israel, the occupying Power, continues to use excessive and indiscriminate force to launch lethal military attacks against the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem. In the early morning hours of today (Palestine time), the Israeli occupying forces carried out yet another deadly missile attack in the densely populated neighbourhood of Shijaia in Gaza City, a neighbourhood that has already suffered vast losses in terms of both human life and property as a result of the Israeli military campaign that continues to be waged against the Palestinian people. Helicopter gunships backed by Israeli tanks fired more than five missiles into a sports field, killing 15 Palestinian civilians. Israeli occupying forces claimed that they had "targeted a training camp". In addition to those killed, at least 40 other Palestinians were wounded, 5 of whom are in critical condition. The high number of casualties overwhelmed the capacity of Gaza's main hospital to treat and care for the wounded.

Today's deadly missile attack follows last week's raid by the Israeli occupying forces in the town of Deir Al-Balah, in Gaza, in which four Palestinians were killed, including a 15-year-old boy, Mohammed Jamal Abu Musbeh. In addition to the killings, more than 52 other Palestinian civilians were injured in that raid. The Israeli occupying forces also destroyed another Palestinian home, damaged 20 others and razed at least 12 dunums of agricultural land.

Tragically, the toll of death and destruction throughout the Occupied Palestinian Territory, including East Jerusalem, continues to rise almost daily and the situation on the ground continues to deteriorate as Israel continues to pursue all of its illegal policies and practices against the Palestinian people. Such ongoing illegal Israeli policies and practices, including the continued construction of illegal settlements and the Wall in the Occupied Palestinian Territory, including in and around East Jerusalem, constitute serious violations and grave breaches of international law, including the Fourth Geneva Convention. The international

04-50128 (E) 080904

community must address and continue to act to bring an end to all Israeli actions against the Palestinian people and to ensure Israel's compliance with international law and its obligations as an occupying Power.

This letter is in follow-up to our previous 198 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 24 August 2004 (A/ES-10/278-S/2004/673), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my deepest regret to inform you that, since 18 August 2004, at least 34 more Palestinians, including 8 children, have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 3,213 Palestinians. (The names of the martyrs who have been identified are contained in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador, Permanent Observer of Palestine to the United Nations

## Annex to the identical letters dated 7 September 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

## Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (Friday, 20 August-Tuesday, 7 September 2004)

**Friday, 20 August 2004**

Mohammed Abdullah Al-Hamaydeh (died from wounds sustained on 19 August 2004)

**Saturday, 21 August 2004**

Na'el Khalil Abu Gholeh

**Sunday, 22 August 2004**

Hussein Said Khalil Al-Ga'baari (died from wounds sustained on 18 August 2004)

**Monday, 23 August 2004**

Hazem Fuad Abu Zahri

**Tuesday, 24 August 2004**

Kamel Hassan Moussa Al-Astal

**Friday, 27 August 2004**

Jadou`a Ahadeel Al-Kurd (died from wounds sustained on 26 August 2004)

**Sunday, 29 August 2004**

Salameh Eid Muqbel Al-Sawarkeh

**Monday, 30 August 2004**

1. Aicha Mohammed Hamad Al-Zibin
2. Hasnah Ahmed Salem Abu Fardeh
3. Yasser Abdel Rahman Al-Najjar

**Tuesday, 31 August 2004**

Mazen Majed Al-Agha (14 years old)

**Thursday, 2 September 2004**

1. Mohammed Jamal Abdel Karim Barakah
2. Mohammed Jamal Abu Musbeh (15 years old)

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 3,213.

3. Ahmed Ammer Abu Shaweesh
4. Shadi Samer Abu Ghurab (18 years old)

**Friday, 3 September 2004**

1. Mohammed Ramadan Al-Jaro (18 years old)
2. Munir Shabaan Al-Sindi (16 years old)

**Saturday, 4 September 2004**

Wissam Mohammed Abu Zaekeh (died from wounds sustained on 30 August 2004)

**Tuesday, 7 September 2004**

1. Ghasan Mohammed Obeid (18 years old)
2. Ayman Khaza'a Farahat (18 years old)
3. Fares Saidi Al-Sarsawi
4. Mohammed Abdallah Qanou'a
5. Ehab Mohammed Al-Deeb
6. Osama Awni Hijeleh
7. Said Yasser Odeh
8. Mutasam Fouad Al-Zirbatli
9. Mohammed Antar Jindeyeh
10. Aref Qasem
11. Mohammed Ibrahim
12. Adham Karim Qereqa'a
13. Bilal Zuhdi
14. Ahmed Khairy Iskafi
15. Ezat Ahmed Al-Wadeyeh
16. Yussef Abu Libdeh (18 years old; died from wounds sustained on 19 June 2004)

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Security Council

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**General Assembly**
**Fifty-eighth session**
Agenda item 30
**Question of Cyprus**

**Security Council**
**Fifty-ninth year**

## Letter dated 3 September 2004 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 3 September 2004, addressed to you by Reşat Çağlar, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 30, and of the Security Council.

(*Signed*) Ümit **Pamir**
Ambassador
Permanent Representative

04-50205 (E) 090904

## Annex to the letter dated 3 September 2004 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, and further to our letter dated 18 June 2004 (A/58/844-S/2004/507, annex), I have the honour to refer to the two letters dated 26 July 2004 and 27 August 2004 addressed to you by Greek Cypriot representatives in New York and circulated as documents of the General Assembly and of the Security Council (A/58/858-S/2004/597 and A/58/880-S/2004/700, respectively), which yet again contain allegations of violations of the "airspace of the Republic" and "of the flight information region (FIR) of Nicosia", and to bring to your kind attention the following:

In response to such false and pretentious allegations, I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. Furthermore, it should be emphasized that allegations of so-called violations of the flight information region or violations of air traffic regulations are invalid, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the only competent authority to provide air traffic and aeronautical information services.

As stated in our previous letters, such allegations are based on the false and illegitimate claim that the sovereignty of the Greek Cypriot administration extends over the whole island, including the territory of the Turkish Republic of Northern Cyprus. This claim by the Greek Cypriot side is divorced from the existing realities in Cyprus, namely, the existence of two independent States, each exercising sovereignty and jurisdiction within and above its respective territory on the island.

Attempts by the Greek Cypriot representatives, through often-repeated false claims, to confer legitimacy upon an illegal administration will be futile as long as the Turkish Cypriot people refuse to bow to its writs. What would indeed be conducive to a better climate on the island would be for the Greek Cypriot side to stop arrogating to itself rights and responsibilities it does not legally have, and to cease all hostilities towards the Turkish Cypriot people.

These two letters are yet another example of the Greek Cypriot policy of distracting attention from the glaring fact that the Cyprus problem remains to resolved due to the Greek Cypriot rejection of your settlement plan on 24 April 2004. Instead of inventing issues with a view to creating a smokescreen before the real issues in Cyprus, what is expected of the Greek Cypriot administration is to stop campaigning against the declared will of the European Union in particular, and of the international community in general, to end the isolation of the Turkish Cypriot people.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 30, and of the Security Council.

(*Signed*) Reşat **Çağlar**
Representative
Turkish Republic of Northern Cyprus

United Nations A/59/337–S/2004/721

General Assembly
Security Council

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8 September 2004
English
Original: Russian

**General Assembly**
**Fifty-ninth session**
Item 151 of the provisional agenda*
**Measures to eliminate international terrorism**

**Security Council**
**Fifty-ninth year**

## Letter dated 8 September 2004 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the address by Russian Federation President V. V. Putin of 4 September 2004 in connection with the recent terrorist acts in the Russian Federation (see annex).

I should be very grateful if you would have the text of this letter and its annex circulated as a document of the fifty-ninth regular session of the General Assembly under item 151 of its provisional agenda, "Measure to eliminate international terrorism", and also as a document of the Security Council.

(*Signed*) Andrey **Denisov**

* A/59/150.

04-50372 (E) 090904 090904

## Annex to the letter dated 8 September 2004 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

## Address by Russian Federation President Vladimir Putin

4 September 2004

It is difficult to speak, and it is painful.

A terrible tragedy has occurred in our world. Over the last few days, each of us has suffered greatly and taken deeply to heart all that was happening in the Russian town of Beslan. There, we found ourselves confronted not simply with killers, but people who used their weapons against defenceless children.

And now, I should like, first of all, to address words of support and condolences to those people who lost what they treasure most in life — their children, relatives and dear ones.

I ask that we remember all those who perished at the hands of terrorists in recent days.

* * *

There have been many tragic pages and severe ordeals in Russian history. Today, we are living under conditions that came about after the collapse of a vast and great State, a State, which, unfortunately, proved to be unable to survive in a rapidly changing world. But, despite all the difficulties, we were able to preserve the core of that giant — the Soviet Union. And we named the new country the Russian Federation.

We all expected changes, changes for the better. But we proved to be absolutely unprepared for much of what changed in our lives. Why?

We are living under an economy in transition and a political system that does not correspond to the state and level of our society's development.

We are living at a time when internal conflicts and inter-ethnic discord, which were once firmly suppressed by the ruling ideology, have intensified.

We stopped paying due attention to defence and security issues and we allowed corruption to undermine our judicial and law enforcement systems.

Furthermore, our country, which at one time had the most powerful system for defending its external borders, suddenly found itself defenceless both from the East and from the West.

It will take many years and billions of roubles in order to create new, modern and genuinely protected borders. But here also we could have been more effective, if we had acted at the right time and professionally.

In general, we need to admit that we did not understand the complexity and danger of the processes at work in our own country and in the world as a whole.

In any case, we were unable to react to them in an adequate manner. We showed ourselves to be weak. And the weak get beaten.

Some want to wrest from us "a bigger piece of the pie", and others are helping them.

They are providing help in the belief that Russia, as one of the major nuclear powers in the world, still represents a threat to someone. Therefore, this threat must be eliminated.

And terrorism, of course, is just an instrument to achieve these aims.

As I have said many times already, we have confronted crises, revolts and terrorist acts time and again. But what has happened now is an inhuman crime by terrorists that is unprecedented in its cruelty. It is not a challenge to the President, the parliament or the Government. It is a challenge to all of Russia. To our entire people.

This is an attack upon our country.

* * *

The terrorists consider that they are stronger than us. They think that they can frighten us with their cruelty, paralyse our will and demoralize our society. And, it would seem that we have a choice — either to resist them or agree to their demands. To surrender, to let them destroy and dismember Russia in the hope that they will finally leave us in peace.

As the President, the head of the Russian State, as someone who swore an oath to defend this country and its territorial integrity, and simply as a citizen of Russia, I am convinced that, in reality, we have simply no choice at all. Because to allow ourselves to be blackmailed and to succumb to panic would be to condemn millions of people to an endless series of bloody conflicts like those in Nagorny Karabakh, Transnistria and other well-known tragedies. We cannot ignore an obvious fact.

What we are dealing with is not simply individual acts intended to frighten us or isolated terrorist attacks. We are dealing with direct intervention on the part of international terrorists against Russia.

This is a total, cruel and full-scale war that is taking the lives of our fellow countrymen again and again.

The entire experience of the world shows that such wars, unfortunately, do not end quickly. Under these conditions, we simply cannot and must not live in as carefree a manner as previously.

We must create a much more effective security system and demand that our law enforcement agencies carry out actions that correspond to the level and scale of the new threats that have emerged.

But the most important thing is to mobilize the nation in the face of this common danger.

Events in other countries have shown that terrorists meet the most effective resistance precisely in places where they encounter not only the power of the State but also an organized and united civil society.

* * *

My fellow countrymen!

Those who sent the bandits to carry out that dreadful crime made it their goal to turn our peoples against each other, put fear in the hearts of Russian citizens, and unleash bloody inter-ethnic strife in the Northern Caucasus.

I should like to say the following in this regard.

First, a series of measures aimed at strengthening the country's unity will soon be prepared.

Second, I consider it necessary to create a new system for coordinating the forces and means for exercising control over the situation in the Northern Caucasus.

Third, it is necessary to create an effective anti-crisis management system, including entirely new approaches to the way law enforcement agencies operate.

I should like to point out in particular that all these measures will be carried out in complete accordance with our country's Constitution.

Dear friends!

We are together experiencing very difficult and painful days. I should like now to thank all those who showed endurance and civic responsibility.

We were and always will be stronger than them, stronger through our morals, our courage and our sense of human solidarity. I saw this again last night. In Beslan, which is literally permeated with grief and pain, people were caring for and supporting each other more than ever. They were not afraid to risk their own lives for the lives and peace of others. Even in the most inhuman conditions, they remained human beings.

It is impossible to accept the pain caused by such loss. But these ordeals have brought us even closer together and have made us re-evaluate many things.

Today we must be together. That is the only way that we will vanquish the enemy.

United Nations S/2004/722

# Security Council

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9 September 2004
English
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## Letter dated 8 September 2004 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

I have the honour to transmit a discussion paper relating to the thematic debate to be organized by the Spanish Presidency of the Security Council on 22 September 2004 on "Civilian aspects of conflict management and peace-building", to be chaired by Mr. Miguel Ángel Moratinos, Minister for Foreign Affairs of Spain.

We would be honoured to have your presence and your invaluable contribution at this special meeting of the Security Council.

I should be grateful if you would arrange for this letter and its annex to be circulated as a Security Council document.

(*Signed*) Juan Antonio **Yáñez-Barnuevo**

04-50526 (E) 100904 130904

## Annex to the letter dated 8 September 2004 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

[Original: English]

## Civilian aspects of conflict management and peace-building

### Background

1. The Security Council has dealt at various times with relevant issues relating to the improvement of peacekeeping operations, dealing with complex crisis situations and the role that other international organizations can play effectively to cooperate with the United Nations in its peacemaking and peace-building efforts throughout the world.

2. The complexity of present day crisis management has been highlighted by the increasingly frequent recourse to operations where different international organizations or crisis management actors, including multinational forces, are called to intervene. This is partly due to the fact that regional organizations are sometimes better equipped (if not materially, at least politically) to handle crises within their geographical scope. In other cases, it may also help to share the burden of crisis management between different actors, drawing on their comparative advantages.

3. In dealing with the broader issue of United Nations operations, the importance of civilian aspects of crisis management in order to solve complex crisis situations is to be acknowledged. International military operations can enforce ceasefire agreements or monitor and ensure their implementation, thus contributing to stabilization of the situation on the ground. Nevertheless, their ability to re-establish public order and the normal functioning of State institutions after a crisis, paving the way to socio-economic rehabilitation and political reconciliation, is relatively limited. The most recent experiences testify to this. Despite the involvement of more players and gradual improvements in operational capabilities, complex challenges persist. Increasingly, it appears that solutions may lie in improving:

- Common doctrinal approaches and operational concepts for civilian operations
- Recruitment and management of experienced staff within and across organizations
- Coordination and interoperability between organizations
- Awareness of the relative strengths, legitimacy and leverage of different actors
- Appreciation of the need for long-term investment in terms of time and funding

4. In addition, the importance of civil-military cooperation should be acknowledged. Peace-support operations are, in many ways, more complicated than waging an armed conflict. They involve a variety of civilian actors that deserve consideration and with whom military forces need to work closely. While unity of command is essential for the military force, unity of effort is absolutely essential for the overall mission. Military success cannot be claimed on its own. The military component is part of an overall political process and will be judged against this

background. This is a learning process that works both ways. Often humanitarian organizations avoid being too close to people in uniform. Avoiding misconceptions and bridging the cultural differences that exist between military and civilian organizations are goals to be pursued in any effective international action to contain and address a crisis.

5. Military instruments are indeed essential to stabilize certain crisis situations and guarantee security, but as experience in crisis management has repeatedly shown, the key to the re-establishment of public order and functioning State institutions after a major crisis or conflict will often require the deployment of international civilian instruments in the field, among others, of police, rule of law (democracy, human rights, penitentiary and justice systems), civilian administration and civil protection. Those instruments are but a few that need to be considered when approaching the wider issue of rehabilitation, reconciliation and reconstruction and the inescapable link between peace and development, including economic development, with a view to the primary goal of eradicating poverty conditions for sustainable peace.

6. The success of the civilian aspects of an operation will not be achieved if the necessary level of security is not assured, if need be through international military deployment. However, the main military task of achieving sustainable security and stability will not be guaranteed in a country emerging from conflict, particularly if it has suffered from an internal struggle, unless the civilian aspects of the international operation also achieve their goals. Civilian success is the key for the exit strategy of the military components of a civil-military operation.

7. In many crisis management situations, a comprehensive approach to the field of rule of law, including police, penitentiary and judicial sectors, is required. Police problems cannot be solved unless the two other sectors are performing satisfactorily and vice versa.

8. In the development of civilian capabilities for crisis management, the area of policing is, without doubt, one of the biggest challenges. Some security problems could probably be better handled through the deployment of civilian police forces, rather than through the deployment of the military, which may add to the conflict dimension, while not dealing well enough with the underlying public order/security problem. Many of the countries now in grave difficulty suffer from an over-militarization of societies. A deeper imprint of civilian elements in these societies is needed to solve their problems.

9. The role of police in providing security should not be seen in rivalry with the military, but as complementary. Furthermore, experience has shown that military forces are not well equipped to carry out police tasks.

10. The involvement of a greater number of actors in single complex crisis management operations, calls, of course, for greater coordination between these actors. In such cases it may be useful to identity a lead organization (the United Nations or a regional organization) or international authority to ensure the coordination of international crisis management efforts. Special attention should also be paid to the coordination between military and civilian crisis management instruments that may have been deployed. This coordination should go well beyond the narrower civil-military component perspective and bear in mind the desired end result.

11. In addition, coordination between crisis management instruments and longer-term reconstruction/development actors should be ensured. The priority should be the orderly exit from a crisis situation, while bearing in mind the need to develop a long-term approach that will guarantee stability and self-sustaining security. There will be no development without stability and security.

12. Qualified resources for use abroad in these fields are very scarce. Normally, countries develop these capabilities to cater for their own internal needs and not for use abroad in civil-military operations. Furthermore, the tasks they are called on to carry out in a civil-military operation may frequently be more complex than military tasks. They may involve greater interaction with local population and a better understanding by the civilian peacekeepers of the role they are called on to play and of the sensitivities attached thereto.

13. In certain cases, they will be called on to carry out substitution tasks, but often their mission will require further involvement in order to ensure that the country or territory in which they have been deployed is ready to assume its own responsibilities before they withdraw. This may frequently imply training of locals and often reform of faulty institutions.

14. Experience in training, development of concepts and lessons learned should continue to be shared. In particular, development of common standards for training should be looked into in order to increase the interoperability of civilian experts. There are clearly cultural problems involved, added to the complexity in the definition of the desired model. In any event, this sharing of experiences should never turn into a limiting factor. It may be better that different organizations continue expanding their own capabilities in these fields rather than imposing limitations to this exercise in order to achieve a greater degree of coherence.

15. Unlike the military for peacekeeping, civilian crisis management does not have a well-established body of agreed doctrine. It relies heavily on individual entrepreneurship in the field, which in turn places a high premium on skilled, experienced field staff. Expanding and retaining the base of this skilled and qualified field staff is critical. Such a body of doctrine would bring better coordination and would improve interoperability among organizations, allowing a more effective institutional handover.

16. The Security Council has acknowledged the important role played by regional organizations in this field and has encouraged them to continue the development of their crisis management capabilities, including in the civilian field. The Security Council frequently approves mandates for operations that are very demanding of the United Nations Secretariat and other bodies. This usually means that it is difficult to set up the civilian teams and means required for a successful operation. Member States should bear this in mind and be ready to provide adequate support for those necessary instruments.

17. Particular encouragement has been provided and support has been particularly given to efforts by the African Union, through its Peace and Security Council. Support initiatives such as the African Peace Facility fund set up by the European Union (to help develop African Union crisis management capabilities) should be further encouraged. This is a concrete example of the development of real capabilities that are already being deployed in civil-military operations, in full

coordination with the United Nations and contributing to its efforts in the maintenance of international peace and security.

## The Security Council could usefully address, among others, some of the following issues:

18. The evolving nature of the growing number of responsibilities that civilian elements have taken on in the context of civil-military operations. These responsibilities may include:

- Helping former opponents implement complex peace agreements, by liasing with an array of political and civilian actors
- Weighing the use of the so-called "civic action" and "peace incentives" as leverage to further the reconciliation processes
- Supporting the delivery of humanitarian assistance and civil protection
- Assisting with the disarmament, demobilization and reintegration of former combatants
- Ensuring a gender perspective in the deployment of civilian components and in addressing post-conflict situations (including in the field of institutional arrangements and of further rehabilitation and reconstruction)
- Supervising and conducting elections
- Strengthening the rule of law, including assistance with judicial reform and the training of civilian police
- Promoting respect for human rights and international humanitarian law and investigating alleged violations
- Assisting with post-conflict recovery and rehabilitation
- Setting up a transitional administration of a territory as it moves towards independence

19. Encouraging Member States' development of police, rule of law or civil administration capabilities specifically for deployment in civil-military operations, in cooperation with the United Nations and regional organizations, in order not to detract them from resources required at the national level. This could include the setting-up of rapid civilian response teams to contribute to civil-military operations in a wide range of areas (political science, law, international relations, business administration, engineering, economics, or other specific areas for a particular mission, such as education, health and finance).

20. Studying ways for organizations involved in the development of these capabilities, such as the United Nations, organizations and bodies of the United Nations system and regional organizations such as the African Union, the Organization of American States, the European Union or the Organization for Security and Cooperation in Europe, to further enhance their cooperation to increase the overall available resources and their interoperability.

21. Examining the issues raised by civilian-military cooperation in the carrying out of mandates and the drafting of operations mandates that are sufficiently

encompassing of the full range of civilian activities essential to effective peace-building, in terms of mission planning, design and financing. A fruitful relationship with non-governmental organizations may in many cases be an essential element for the success of an operation.

22. Developing the various options for fruitful cooperation in crisis management between the United Nations and Member States, and other international organizations:

- Civil-military operations could be carried out by a regional organization under a United Nations mandate, but under the Organization's chain of command
- The regional organization could provide civilian components for the United Nations in an operation under United Nations command
- The regional organization could serve as a clearinghouse for the pooling of civilian resources of its members to contribute them to United Nations operations
- Member States could team up to strengthen their national contributions of civilian components to United Nations-led operations

These overall schemes for joint operations should be further clarified and developed, together with the encouragement of regional training efforts in the field of civilian components.

23. Sorting out the institutional issues regarding the deployment of coordinated civilian-military components for a particular operation: the possible establishment of a coordinating mechanism at the United Nations level; the possible need for strengthening the institutional capacity at the United Nations and the role of the Executive Committee on Peace and Security; the coordination of the activities of international financial institutions related to the civilian side of peace-building.

24. Achieving future improvements to civilian crisis management by focusing on building a more cohesive international approach. Policy coherence and interoperability in civilian crisis management will be essential in the coming years. Making available flexible and adequate means for action and specialist national resources to support regional and international operations, while recognizing the importance of preserving multilateral diplomacy, will be crucial as well.

United Nations S/2004/723

# Security Council

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## Letter dated 8 September 2004 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council

During Pakistan's presidency, the Security Council held a thematic debate on 28 May 2004 on "Complex crises and United Nations response". The presidency undertook to prepare and circulate a summary of the important ideas and suggestions that were presented during the Council debate.

The summary prepared by the Pakistan delegation pursuant to that understanding is attached herewith. I should be grateful if you would have this letter and its annex issued as a document of the Security Council.

(*Signed*) Munir **Akram**

04-50709 (E) 160904

## Annex to the letter dated 8 September 2004 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council

## Complex crises and United Nations response

### Letter dated 24 May 2004 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General (S/2004/423)

The Security Council, at its meeting on 28 May 2004, held a wide-ranging thematic debate on "Complex crises and United Nations response". The primary objective of the debate, as outlined by the Presidency (Pakistan) in its non-paper (S/2004/423), was to have a strategic look at the interrelated issues constituting complex crises and to explore ways of addressing them through long-term, comprehensive, integrated and composite approaches with enhanced system-wide coordination. The President of the Economic and Social Council and the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator also participated in the discussion.

During the meeting, the participants advanced a number of useful and important ideas and suggestions on policy responses and increased system-wide coordination for preventing, managing and resolving complex crises. Conflict prevention, the link between peace and development, and the need to address the root causes emerged as the most vital components of an integrated, coherent and comprehensive approach for durable peace and security. Many speakers noted the relevance of the topic in the context of the work of the Secretary-General's High-level Panel on Threats, Challenges and Change and the sixtieth session of the General Assembly in 2005. The ideas and suggestions presented during the Council's discussion are summed up below.

#### General

- Most of the situations of which the Security Council is currently seized fall into the category of complex crises — conflicts that not only have military and security dimensions but also political, economic, social and humanitarian facets. Other principal organs and agencies of the United Nations are facing the same situation.
- The United Nations is an institution best suited to generating responses to complex crises in a timely, effective and coherent manner.
- Most crises that the Council addresses, or would seek to prevent, are complex. They represent a failure of political, economic and sometimes social institutions and therefore require solutions to meet both security and development needs. The United Nations role in the international response to this mix of security and development needs should draw on various bodies within the United Nations system and be carefully coordinated with various other non-United Nations sources of expertise and resources.
- It is the collective responsibility of all — the Security Council, the General Assembly, individual member States, regional organizations, various United Nations departments, agencies and programmes and non-governmental

organizations — not only to perform their respective roles as effectively as possible, but to respond to these issues together as a cohesive whole.

- The intrinsic link between peace and development must remain at the core of United Nations response to complex crises.

**Conflict prevention**

- In tackling complex crises, prevention plays a pivotal role and should be the first priority. The United Nations should move from a culture of response to a culture of prevention.

- The major investments to be made by the international community — including political, diplomatic, financial, economic, cultural, analytical and moral — must be in prevention. The main and subsidiary bodies of the United Nations — the General Assembly, the Security Council, the Economic and Social Council and the Secretariat — regional and subregional organizations, financial institutions and civil society, non-governmental organizations, schools, the press and all social actors should make conflict prevention the cornerstone of a universal and common endeavour to promote a more peaceful, equitable and prosperous world.

- Conflict prevention must be based on broad concept of security that comprises political aspects, good governance, sustainable development, respect for human rights, and combating inequality and marginalization.

- The recommendations contained in the report of the Secretary-General on prevention of armed conflict dwell on how the United Nations system can best interact in order to prevent armed conflicts and enhance States' capacity to prevent them.

- There is a need to develop or formulate an overall conflict-prevention strategy that will ensure the integrated and comprehensive work of the General Assembly, the Security Council, the Economic and Social Council, the International Court of Justice and the Secretary-General and the participation of other actors including regional organizations, funds and programmes, civil society, non-governmental organizations, the business community and the Bretton Woods institutions, among other players.

- The Security Council should formulate an integrated preventive strategy suited to the characteristics of complex crises. The General Assembly, the Economic and Social Council and the various United Nations agencies, on the basis of their comparative advantages and acting within their respective competences, should develop synergy in their conflict-prevention efforts.

- Preventive action should address the deep-rooted socio-economic, cultural, environmental, institutional and other structural causes that often underlie immediate political symptoms of conflicts.

- There is a resource gap in the comprehensive, integrated response sought by the international community for conflict prevention and ensuring human security. This gap should be overcome by means of a bolder, more precise approach to detecting and preventing conflicts and by making development a dimension of complex United Nations operations, at the same integral level as the humanitarian and human rights dimensions.

**Early warning and preventive diplomacy**

- At the policy level, the first priority must always be preventive diplomatic action. A credible early warning capacity based on impartial and accurate analysis of situations remains an essential requirement.
- United Nations systems need to be strengthened to deal with short and long-range early warning factors. The existing capacities within the system may be better utilized to coordinate and apply the information already available. It would also be useful to tap into the capacities outside the United Nations system.
- High priority must be accorded to the functions of preventive diplomacy, which, based on the Organization's global representation and on its legitimacy, must refine its ability to analyse and anticipate crises and help defuse them in the early stages of development by the use of good offices in the context of joint action by the Security Council and the competent bodies of the regional and subregional organizations concerned.
- The role of the Secretary-General pursuant to Article 99 of the Charter of the United Nations is critical. More frequent use should be made of the provisions of resolutions 1296 (2000) and 1366 (2001) that encourage the Secretary-General to convey to the Security Council his assessment of potential threats to international peace and security in accordance with Article 99 of the Charter.
- The Secretary-General's initiative to appoint a special adviser for the prevention of genocide and other especially serious crimes is promising.
- The practice of forming groups of friends and of appointing special representatives and envoys of the Secretary-General should be continued as a means of enhancing cooperation and harnessing collaboration with the Secretary-General.
- The Security Council should look into how the Secretary-General might be given better tools for pursuing preventive policies and thereby achieve the objective of involving the Security Council in situations that might evolve into conflict.
- Further to its presidential statement of 13 May 2003 on its role in the pacific settlement of disputes, the Security Council should make greater use of Chapter VI procedures to promote conflict prevention.
- In the context of preventive diplomatic action or "conflict avoidance", a much more energetic and consistent role must be played by the whole collective security mechanism provided by the Charter. We might evolve in the future to the establishment of conflict-avoiding operations.
- In terms of prevention, early warning must be accompanied by early response.
- Translating early warning into early action is a complex task. Political will and resources are essential.
- Early warning helps in improved contingency planning. There is no point in contingency planning, however, if the resources to do something about it are not available.

**Conflict management and resolution**

- The General Assembly must make full use of the potentialities envisaged in Articles 10, 11 and 13 of the Charter. It should play a larger role in considering the general principles of cooperation in the maintenance of international peace and security and in drawing the attention of the Council to situations that are likely to endanger peace and security.
- The Council must pay greater attention to resolving conflicts. Chapter VI of the Charter contains a whole inventory of measures that the Council could employ in pursuit of this objective.
- The Security Council's missions to regions of crisis have become an important tool for gaining a better understanding of ground realities and for finding ways of containing conflict and promoting peace processes.
- Crisis management may draw on the following measures:
  - There must be strong local leadership with a broad social base that enjoys the firm support of the international community.
  - An integrated plan must be prepared, adapted to the situation on the ground. The temptation to make a hasty exit must be resisted.
  - Sufficient resources must be mobilized to implement the integrated plan and make consistent use of the appropriate tools with a view to ensuring that those resources are not wasted. Constant monitoring of the plan and of the evolution of the situation on the ground should be maintained with a view to responding to changing circumstances.
- In the process of crisis resolution, the will of the people of the countries concerned should be respected and their views fully sought. Only thus can the settlement plans surely contribute to the resolution of crises and the attainment of peace.
- Assistance to civilians in need is also undermined by the skewed flows of humanitarian funding for complex emergencies. Political interests, strategic priorities and the media spotlight create enormously disproportionate response to crises. The Security Council should consider carefully the links between the maintenance of international peace and security and inadequate funding in certain crises.

**Peacekeeping**

- More elements of peace-building and post-conflict reconstruction, in particular development and education capacities, should be incorporated into peacekeeping operations.
- We need to make sure that Council mandates for peacekeeping operations take sufficient account of the less tangible threats.
- Peacekeeping operations can be effective, and cost-effective, only if mechanisms of sustained peace are incorporated into the Security Council resolutions. Otherwise, countries and populations may easily fall back into conflict. We have to be more creative in our common objective of sustained

peace, requesting direct involvement of the Economic and Social Council and of United Nations development agencies.

- Planning for peacekeeping operations is crucial. Consideration may be given to whether we can: involve, at an earlier stage of the process, the Special Representative of the Secretary-General and his assistants, including the person in charge of humanitarian action and development; make better use of the experience of United Nations agencies in the planning stage; bring the phase of the assessment of economic and social needs involving the World Bank to the design of a peacekeeping operation. These questions should be considered by the Secretariat, which should then share its observations with the Council.

- A great deal remains to be done to improve the peacekeeping potential of the United Nations, especially in such areas as rapid response, the effective use of material resources, financing, transport, the training of staff, etc.

- The United Nations Secretariat and the international community must significantly restructure their work in peacekeeping in keeping with the new tasks. So it is ensured that the interdepartmental groups established within the framework of the United Nations Secretariat are effectively working on the preparation of complex operations for peacekeeping and the subsequent social and economic recovery and nation-building of countries suffering from conflicts.

- The concept of exit strategies must primarily be linked to realistic benchmarks, rather than observing rigid deadlines.

**Role of regional and subregional organizations and States**

- The potential of Chapter VIII of the Charter should be further developed to ensure a truly legitimate collective reaction to complex emergency situations under conditions of international conflict.

- The Security Council, in addressing complex crises, should seek the views of regional organizations on a wider basis, share its information with regional organizations and achieve mutual complementarity with them.

- The periodic meetings with regional organizations promoted by the United Nations and aimed at optimizing the use of resources and avoiding duplication. The international community must provide assistance to enable regional organizations to shoulder their responsibilities.

- The Secretary-General's special envoys can join the special envoys of the African Union and other regional organizations in their good offices and mediation efforts. In addition, the United Nations should increase assistance to regional organizations such as the AU, to help them enhance their overall capacity in early warning, peacekeeping and other endeavours.

- A regional approach to complex crises requires the creation of regional pillars to optimize the use of the resources made available by the pre-existing international security framework. The regional security framework that the African countries are seeking to establish, a process that culminated in the launch of the Peace and Security Council, should receive the same level of attention in terms of resource allocation as international operations. The Peace

and Security Council of the African Union should be supported and encouraged.

- Preventive diplomacy should be consistently taken up by regional organizations.

- A national response is appropriate and should be encouraged. National actors from civil society and the Government have the local knowledge and the long-term commitment necessary to resolve complex crises. Their potential contribution should not be underestimated, and their capacity for response should be strengthened.

**Addressing the underlying causes of conflict**

- At the root of most conflicts are issues of poverty, corruption, deliberate manipulation of minority groups and social inequality and exclusion. Dealing effectively with complex crises requires addressing their root causes.

- In the long list of root causes, poverty and underdevelopment seem to be omnipresent. The theatre of nearly all the conflict situations we are dealing with is the developing world.

- The Council must go beyond conflict management in addressing complex crises. While peacekeeping missions working within their mandates can help in different ways, they are not a panacea for the whole range of complex issues and underlying causes.

- In the context of the root causes of conflict and instability, it is necessary to address not only easily understood threats, such as from uncontrolled militia, arms proliferation and terrorism, but also harder-to-measure threats, such as human rights abuses, the spread of disease, population movements, the scarcity of resources, weak governance, lack of democracy, poverty, social injustice, environmental degradation.

- Underdevelopment and under-education are found at the root of most conflicts in the world. Economic inequalities and poverty exacerbate difference and intolerance and invariably kindle friction and, ultimately, conflict. The root causes of conflict will recur after any peacekeeping intervention if sufficient attention is not paid to sustained development, thus creating a very vicious circle.

- To eliminate the underlying root causes of crises, development must be made a top priority.

**Peace and development**

- There is unanimous agreement that development is the best way to prevent conflicts.

- Conflict prevention and sustainable and equitable development are mutually reinforcing activities.

- Post-cold-war crises and conflicts occur mostly in underdeveloped countries and regions. The United Nations should devote greater attention to development, strive to help developing countries eradicate poverty and develop their economies and increase its involvement in post-conflict regional

and national reconstruction. The Economic and Social Council can play an even greater role in that regard.

- Development assistance must provide a framework for enhancing and intensifying dialogue between donors and recipients to promote the creation of inclusive structures and the greatest possible national absorption capacities. That way, development assistance can become a preferred instrument for promoting peace and preventing conflict.

**Post-conflict peace-building**

*The need for resources and international response*

- In an analysis of complex crises, the line between conflict prevention and the maintenance and building of peace becomes blurred. Peace-building often starts in the peacekeeping phase as reflected in the mandates of certain complex and multidimensional missions. The peace-building phase also has an important preventive aspect, in order to prevent the fragile situation typical of States emerging from a crisis from degenerating into another conflict.

- It is important to develop a framework and an enabling environment for peace-building activities. These include the need to ensure a speedy operational response and the optimum mobilization of human, technical and financial resources as well as the need to direct efforts at preventing the outbreak or recurrence of conflicts.

- The success of efforts to change the dynamics of conflict that characterize complex crises into a dynamic for peace depends on the firm long-term commitment of the international community, including through an integrated plan with clear objectives, the firm resolve of the authorities of the State emerging from crisis, the implementation of measures necessary to building peace and ensuring national reconciliation, the political and financial support of the international community for transitional institutions, and the provision of tools adapted to the challenges of peace-building in the post-conflict period.

- The Security Council has acknowledged that the dimensions of crises may be so complex that non-security-related resources and personnel are also needed to address them fully to prevent the resurgence of violence.

- Sustainable security is intimately bound up with development. The United Nations family, including the Bretton Woods institutions, have an indispensable role to play.

- Peace-building in most complex crises is not possible without the active involvement and support of the Bretton Woods institutions.

- Because of the level of financial resources that are now required, the creation of special trust funds, especially for short-term initiatives, requires some thought.

- The United Nations system needs to strengthen the coordination of conflict-prevention and peace-building activities. Donors too need to improve their coordination.

- The United Nations does not operate in a vacuum. There are also bilateral responses that should be coordinated with the United Nations. The United Nations and the Special Representatives of the Secretary-General can play a useful role in coordinating and encouraging bilateral actors and donors, rather than discouraging them by suggesting that the United Nations has it all under control.

- In cases of complex crisis with prolonged violence, development programmes should not focus on short-term humanitarian assistance to the exclusion of support for long-term needs.

- The requirement of adequate and full funding of the actions required to prevent, manage and ameliorate conflicts and to restore peace and stability is relevant throughout the system: not only are the United Nations and its family of organizations the only available instrument for dealing with complex crises: they are also the most cost-effective.

- To enhance the capacity of the United Nations in the implementation of a response to complex crises, the participation of non-governmental organizations, civil society, the business sector and international financial institutions should include devising methods for generating resources from a peace-building perspective.

- The Council's debate on the role that private sector can play in addressing conflict and post-conflict situations has been yet another opportunity to demonstrate the complementarity between State and non-State actors.

**Transition and follow-up**

- The question of follow-up to strategies is probably one of the greatest weaknesses in the systems established by the international community. The lack of stringent follow-up is quite probably one of the causes of some of the failures that have occurred. We must consider political and administrative mechanisms that enable an effective follow-up of the progress made, warn of obstacles and propose remedies. Such mechanisms musts involve the members of the Security Council, the countries concerned, major donors, regional and subregional organizations, and international financial agencies and institutions.

- In situations of transition, progress on security and political developments need to be accompanied by corresponding progress on the humanitarian, social and economic fronts if peace is to take hold.

- It is clear that the various problems relating to transition cannot be dealt with sequentially, for example by dealing with security before humanitarian issues and humanitarian issues before development. To the contrary, responses must be devised at the outset in an integrated and coherent fashion.

- The evaluation of lessons learned and best practices should be initiated.

- As recommended by the Brahimi report (S/2000/809), more complete and better integrated strategies must be devised to truly build peace. We must also provide ourselves with the means to implement them and to follow up on their implementation.

**Strategic coherence in policy response**

- A clear awareness of the need to include the response to complex crises in a strategy that is both global and regional in nature is beginning to emerge in the international community, especially the United Nations system. Thus, the Security Council is required to provide strategic momentum in a multidisciplinary approach, including in its field, of action all of the institutions of the United Nations system, because of the linkage between the causes of conflict and the way in which they interact with one another — hence the need for coordinated action on the part of all those involved.

- The way in which the Council cooperates with and consults the relevant bodies of the United Nations system should be reconsidered and improved. In this context, the question arises of a more flexible reading of the Security Council's mandate.

- In most complex crises, the economic, political and social routes of a conflict cannot be disentangled or dealt with ad seriatim. The response should continue to come from the whole United Nations family, including the funds, programmes and agencies that have the requisite knowledge and experience as well as from the Department of Peacekeeping Operations and the Department of Political Affairs.

**Enhanced coordination among the principal organs and the United Nations system**

- Apart from being within the purview of the Security Council, complex crises, because of their multidimensional character, also involve, in varying degrees, the areas of responsibility of other principal organs of the United Nations: the General Assembly and the Economic and Social Council.

- There is greater need for a calibrated policy response, with the Secretary-General, the Security Council, the General Assembly and the United Nations system at large working in synergy, within their respective roles and mandates.

- While the United Nations needs to apply a broad concept of security, the Council should not be overburdened with tasks for which it is ill-equipped. A far better way to address the multidimensional aspects of conflict is to find meaningful arrangements for the division of labour among those who, in one way or another, have comparative advantages in dealing with a given complex situation.

- Partnerships should be strengthened between the Security Council, the General Assembly and the Economic and Social Council on peace and security matters. Article 65 of the Charter should be used more often.

- To ensure coherence, the initiatives by the Economic and Social Council must be linked to the work of the Security Council. Working relationship between the Economic and Social Council and the Bretton Woods institutions are a reality today in the financing for development process and in the debates on sustainable development. They remain less systematic in the security and political fields, and could be strengthened so that the Bretton Woods institutions' analysis and capacity of action can be fully used in synergy with United Nations efforts.

- The Economic and Social Council Ad Hoc Advisory Groups on African countries emerging from conflict are useful mechanisms for promoting a comprehensive approach to peace and development. Although the Groups are mandated to work on countries emerging from conflict, the lessons learned from their work are also relevant to other crisis situations, as what is at stake is to ensure a coordinated approach between major stakeholders and proper consideration of the multiplicity of causes behind a conflict.

- The Ad Hoc Advisory Groups on Guinea-Bissau and Burundi are laudable efforts. But the advisory role and the ad hoc nature of these working groups are not adequate. We therefore need continuity and an institutional mechanism that will integrate security policy, economic development and institution-building in those areas.

- The Security Council should further support United Nations organs and mechanisms in their security and development efforts. It should convene a meeting to review the relationship between the Security Council and the Economic and Social Council, drawing from the experience in Guinea-Bissau, and explore the possibility of greater interaction with the General Assembly.

- Increased interaction between the Security Council, other major United Nations bodies and the High Commissioners for Refugees and Human Rights has become ever more necessary to providing a consistent and integrated response to the challenges inherent in complex crises.

- Inter-organ coordination must be accompanied by closer coordination between the Secretariat and the agencies, funds and programmes.

- One aspect that is deserving of consideration is the better use of inter-agency working groups in the context of the Secretariat. In terms of complex crises, this would translate into the creation in the Secretariat of a culture conducive to the establishment of such inter-agency groups. Such groups could address the conflict from multiple perspectives and inform the Council on that basis.

- Several proposals have been advanced to promote coherence in response to multifarious challenges, including by the President of Mozambique and the Prime Minster of Portugal, for the creation of a new commission to promote peace and development, mandated by and in conjunction with the Security Council and the Economic and Social Council.

- Consideration may be given to the proposal for the establishment of ad hoc composite committees of the three principal organs of the United Nations — the General Assembly, the Security Council and the Economic and Social Council — to effectively address complex crises and emergencies, including in Africa. Such proposals and similar initiatives are relevant in the context of the institutional reform of the United Nations system.